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MASSACHUSETTS BLACK LEGISLATIVE CAUCUS 1987 LEGISLATIVE OVERVIEW

JUDY F. CARSON
MBLC LEGISLATIVE AIDE
DECEMBER 29, 1988

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The Commonwealth of Massachusetts

Great and General Court

Massachusetts Black Caucus

State House, Boston 02133

SENATOR

ROYAL BOLLING, SR.
2nd SUFFOLK DISTRICT

REPRESENTATIVES

RAYMOND JORDAN
12th HAMPDEN DISTRICT

SAUNDRA GRAHAM
28th MIDDLESEX DISTRICT

BYRON RUSHING
9th SUFFOLK DISTRICT

GLORIA FOX
7th SUFFOLK DISTRICT

AUGUSTO GRACE
23rd MIDDLESEX DISTRICT

SHIRLEY OWENS-HICKS
6th SUFFOLK DISTRICT

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December 27, 1988

Dear Members of the Massachusetts
Black Legislative Caucus:

I am pleased to present you with the Massachusetts Black Legislative Caucus Overview for the 1987 Legislative Year.

During this legislative session the Caucus strived to produce legislation that would meet the most pressing needs of the people of the Commonwealth while imposing new standards of efficiency and productivity in state government. Each year the Caucus face extra challenges. In the course of the 1987 session the Caucus were the sponsors of approximately 215 pieces of legislation. There were 21 bills initially petitioned by the Caucus which were successfully signed into law. The 1987 legislature basically focused on state and construction contacts, Job Training and Equal Education opportunities. Providing resourses for these necessary legislative initatives in light of the less optimistic revenue projections has made the job of Caucus even more of a challenge. The 1987 Legislative Overview is an example of actions taken on all bills filed and supported by the Caucus.

In closing, I wish to congratulate the members of the Massachusetts Black Legislative Caucus on a job well done. I wish to thank Lola Johnson, Executive Secretary of the Caucus for her assistance in the preparation of this 1987 Legislative Overview.

For The MBLC Office,

Judy F. Carson
Legislative Aide
Massachusetts Black Legislative Caucus

JFC/lj

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THE COMMONWEALTH OF MASSACHUSETTS GREAT AND GENERAL COURT

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July 1987

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1987

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THE MASSACHUSETTS BLACK LEGISLATIVE CAUCUS
SIGNED INTO LAW

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REPRESENTATIVE GLORIA L. FOX	H. 6103	AN ACT REGULATING THE NUMBER OF SUBSIDIZED UNITS IN CERTAIN RESIDENTIAL PROPERTY.	DECEMBER 24, 1987	612

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OF THE
1987 LEGISLATION SIGNED INTO LAW
SUPPORTED BY THE MBLC

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BY THE MEMBERS OF
THE MASSACHUSETTS BLACK LEGISLATIVE CAUCUS

BILL NO.	TITLE	DESCRIPTION	DATE	CHAPTER NO.
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H. 4668	REGULATION REGARDING PENALITIES FOR NOT OBEYING TRAFFIC CONTROL SIGNS AND DEVICES	AN ACT REGARDING PENALTIES FOR NOT OBEYING TRAFFIC CONTROL SIGNS AND DEVICES.	MAY 29, 1987	90
H. 5308	PENALTY INCREASE FOR THE MANUFACTURE OR SALE OF ILLEGAL WEAPONS	AN ACT INCREASING THE PENALTIES FOR THE MANUFACTURE OR SALE OF ILLEGAL WEAPONS.	JUNE 3, 1987	123
H. 5218	INCREASE OF HOUSING FOR LOW AND MODERATE INCOME	AN ACT TO INCREASE THE PRODUCTION OF HOUSING FOR FAMILIES AND PERSONS OF LOW AND MODERATE INCOME.	JULY 14, 1987	226
S. 1812	WARRANTY PROVISIONS OF USED MOTOR VEHICLES	AN ACT FURTHER REGULATING THE WARRANTY PROVISIONS OF USED MOTOR VEHICLES.	JULY 21, 1987	289
S. 876	GUARDIANS AND CONSERVATORS	AN ACT RELATIVE TO GUARDIANS AND CONSERVATORS.	JULY 23, 1987	320

BILL NO.	TITLE	DESCRIPTION	DATE	CHAPTER NO.
H. 4887	COMMERCIAL REAL ESTATE DEVELOPMENT	AN ACT AUTHORIZING CERTAIN ACTIONS BY THE CITY OF BOSTON TO MITIGATE THE EFFECTS OF NEW LARGE-SCALE COMMERCIAL REAL ESTATE DEVELOPMENT (LINKAGE).	OCTOBER 5, 1988	371
H. 5906	RELIEF TO CITIES AND TOWNS	AN ACT PROVIDING RELIEF TO CITIES AND TOWNS DAMAGED BY THE STORM OF JANUARY SECOND, NINETEEN HUNDRED AND EIGHTY-SEVEN.	OCTOBER 20, 1987	409
H. 2328	ACCESS TO HEALTH CARE SERVICES	AN ACT RELATIVE TO ACCESS TO HEALTH CARE SERVICES.	DECEMBER 2, 1987	542
S. 428	BOTTLED WATER	AN ACT RELATIVE TO THE PURITY OF BOTTLED WATER SOLD COMMERCIALLY IN THE COMMONWEALTH.	DECEMBER 23, 1987	594
H. 5796	DISCLOSURE REQUIREMENTS IN CONSUMER CREDIT TRANSACTIONS	AN ACT ESTABLISHING ADDITIONAL DISCLOSURE REQUIREMENTS IN CERTAIN CONSUMER CREDIT TRANSACTIONS.	DECEMBER 23, 1987	595
H. 6037	REORGANIZING THE BOSTON SCHOOL DEPARTMENT	AN ACT REORGANIZING THE BOSTON SCHOOL DEPARTMENT.	DECEMBER 29, 1987	613
H. 5884	REVISING PROCEDURES FOR THE JUDICIAL CONDUCT	AN ACT REVISING THE PROCEDURES FOR THE COMMISSION ON JUDICIAL CONDUCT.	JANUARY 4, 1988	656
S. 1267	HANDICAPPED ACCESSIBILITY	AN ACT RELATIVE TO PROVIDING FOR THE STATE HOUSE AND ALL FACILITIES LOCATED THEREIN TO BE HANDICAPPED ACCESSIBLE.	JANUARY 6, 1988	682

A CHRONOLOGICAL REPORT
OF THE
1987 MBLC PRIORITY LEGISLATION
SIGNED INTO LAW

LEGISLATION IS LISTED BY INDIVIDUAL
SENATOR AND REPRESENTATIVE

SENATOR ROYAL L. BOLLING, SR.

H. 1566		PETITION
		Of W. Paul White, Emanuel G. Serra, Marjorie A. Clapprood and Royal L. Bolling, Sr., relative to information required for police reports persuant to vehicle fire or theft insurance claims.
01/07/87	H.	Referred to the committee on INSURANCE
01/07/87	S.	Senate concurred
	P.	Hearing date Mar 4 am
03/30/87	H.	Accomapnied a new draft, see H5223
H. 5223		Bill relating to automobile insurance fraud.
03/30/87	H.	Reported from the committee on INSURANCE
03/30/87	H.	New draft of H1566 and H3175
03/30/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 219
03/31/87	H.	Read second and ordered to a third reading -HJ 247
04/13/87	H.	Read third
04/13/87	H.	Bills in the Third Reading new draft substituted, see H5298 -HJ 344
H. 5298		Bill relative to automobile insurance fraud.
04/13/87	H.	Reported from the committee on HOUSE BILLS IN THE THIRD READING
04/13/87	H.	New draft
04/13/87	H.	Substituted for H5223
04/13/87	H.	Passed to be engrossed -HJ 344
04/14/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 249
04/16/87	S.	Committee reported that the matter be placed in the Orders of the Day for the Next session -SJ 264
04/21/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 282
04/23/87	H.	Enacted -HJ 394
04/23/87	S.	Enacted and laid before the Governor -SJ 304
05/05/87	G.	Signed by by Governor, Chapter 44 Acts

Chapter 44.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO AUTOMOBILE INSURANCE FRAUD.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The first paragraph of section 113 0 of chapter 175 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:- No payment shall be made by the insurer of loss or damage to the insured vehicle on a claim for theft coverage, so-called, until the insured received notice from the appropriate police authority that a statement in conformity with the provisions of section twenty-nine of chapter two hundred and sixty-six has been filed. No payment shall be made by the insurer of loss or damage to the insured vehicle on a claim for fire coverage, so-called, until the insured has filed a statement in conformity with the provisions of section twenty-nine B of said chapter two hundred and sixty-six and the insurer has, within a reasonable time, reviewed said statement with the appropriate fire authority and determined no fraud was involved.

SECTION 2. Chapter 266 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by inserting after section 29 the following section:-

Section 29B. Whenever a motor vehicle is burned, the owner of record of such vehicle shall submit to the appropriate fire department a statement signed under the penalties of perjury containing such information concerning the burning of such vehicle as the state fire marshall shall require.

House of Representatives, April 23, 1987.

Passed to be enacted, George Lincoln, Speaker.

H 5298

In Senate, April 23, 1987.

Passed to be enacted, William M. Bulger, President.

May 5, 1987.

Approved,

Michael S. Dukakis Governor.

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE TWO)

S. 1164 PETITION

Of Fred Trusten, Royal L. Bolling, Sr., and Mary Jane Gibson for legislation to authorize the Department of Personnel Administration to use unassembled examinations for certain positions.

01/07/87	S.	Referred to the committee on PUBLIC SERVICE
01/07/87	H.	House concurred
	P.	Hearing date Mar 2 am
03/18/87	S.	Bill reported favorably by committee and referred to the committee on SENATE STEERING AND POLICY -SJ 107
04/06/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 173
04/07/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 187
04/09/87	H.	Read; and placed in the Orders of the Day for the next session -HJ 315
04/13/87	H.	Read second and orfered to a third reading -HJ 344
05/07/87	H.	Read third (title changed) and passed to be engrossed -HJ 580
05/11/87	H.	Enacted -HJ 596
05/11/87	S.	Enacted and laid before the Governor -SJ 489
05/22/87	G.	Signed by the Governor, Chapter 76 Acts

S 1164

Chapter 76.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING FOR THE USE OF AN UNASSEMBLED EXAMINATION FOR CERTAIN CIVIL SERVICE POSITIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Notwithstanding the provisions of any general or special law to the contrary, the department of personnel administration is hereby authorized to examine, qualify and rank applicants for original or promotional appointments solely on the basis of training, experience, education or other criteria considered appropriate by the personnel administrator for the positions of qualified mental retardation professional I and II and mental retardation service coordinator I and II.

House of Representatives, May 11, 1987.

Passed to be enacted, Robert Correia Acting, Speaker.

In Senate, May 11, 1987.

Passed to be enacted, William M. Bulger, President.

May 22, 1987.

Approved,

Governor.

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE THREE)

S. 1193 PETITION

Of William R. Keating and Royal L. Bolling, Sr., for legislation to further define the purchase of annuities or investments for vocational school employees.

01/07/87	S.	Referred to the committee on PUBLIC SERVICE
01/07/87	H.	House concurred
	P.	Hearing date Mar 16 am
04/28/87	S.	Accompanied a new draft, see S1770 -SJ 318

S. 1770 Bill further regulating the purchase of annuity contracts by employees of school committees and municipal hospitals.

04/28/87	S.	Reported from the committee on PUBLIC SERVICE
04/28/87	S.	New draft of S1193
04/28/87	S.	Bill reported favorably by committee and referred to the committee on SENATE STEERING AND POLICY -SJ 318
05/14/87	S.	Committee reported that the matter be placed in the orders of th Day for the next session -SJ 524
05/18/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 543
05/28/87	H.	Read; and placed in the Orders of the Day for the next session -HJ 825
06/01/87	H.	Read second and ordered to a third reading -HJ 845
07/15/87	H.	Read third and passed to be engrossed -HJ 1194
07/23/87	H.	Emergency preamble adopted -HJ 1222
07/23/87	S.	Emergency preamble adopted -SJs 1093-0194
07/23/87	H.	Enacted -HJ 1222
07/23/87	S.	Enacted and laid before the Governor -SJ 1095
08/03/87	G.	Signed by the Governor, Chapter 348 Acts

S 1770

Chapter 348

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING THE PURCHASE OF CERTAIN ANNUITY CONTRACTS BY EMPLOYEES OF SCHOOL COMMITTEES AND MUNICIPAL HOSPITALS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately regulate the purchase of certain annuity contracts by employees of school committees and municipal hospitals, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 40 of the General Laws is hereby amended by striking out section 55, as appearing in the 1984 Official Edition, and inserting in place thereof the following section:-

Section 55. Any city through an officer designated by the city council or any town through an officer designated by the selectmen which operates a hospital may enter into a written agreement with such hospital employees to purchase or make payments to an individual or group annuity contract, custodial account, or any other investment authorized under section 403(b) of the Internal Revenue Code for such employee; provided, however, that in no event shall the total of the premiums paid for the purchase of any such annuity, custodial account, or other investment and the employee's includible compensation for any year exceed the total annual salary or compensation under the existing salary schedule or classification plan applicable to such employee in such year. As used in this section, the words "includible compensation" shall have the same meaning as in said section 403(b) and the word "premiums" shall include contributions paid to any such custodial account or other investment. Such employee's rights under such annuity contract, custodial account or other investment shall be nonforfeitable. Such contract shall be purchased only from an insurer authorized to issue life insurance or annuity contracts in the commonwealth; any such custodial account or other investment shall be purchased only from a company or corporation authorized to sell such other in-

vestments in the commonwealth; provided, however, that any such city or town may agree with any such employee or prospective employee who has an annuity contract, custodial account or any such other investment in force for at least ninety days prior to the effective date of such agreement to continue to make premium payments under such contract, account or investment subsequent to the effective date of such agreement, without regard to whether or not such contract, account or investment has been issued or sold by an entity authorized to issue or sell such contracts, accounts or other investments in the commonwealth, but in such case any subsequent contract shall be purchased only from an insurer authorized to issue life insurance or annuity contracts in the commonwealth, and any such custodial account or other investment shall be purchased only from a company or corporation authorized to sell such accounts or other investments in the commonwealth. Upon execution of such an agreement, the officer of the city or town thereunto authorized shall forthwith give written notice thereof to the treasurer of such city or town and shall certify the amount and dates of premiums payable under the terms of such contract, account or investment, the name of the issuing insurer or selling company or corporation and the office to which such premium payments shall be made. Said treasurer shall thereafter make such premium payments while such contract, account or investment is in force and such employee is actively employed by the city or town and, upon written notice duly given by said officer, shall make any changes in the manner or amount of premium payments required under the terms of any subsequent agreement, contract, account or investment entered into by such employee and the city or town and shall stop such premium payments when so notified by such officer. Such city or town shall not offer to such employee any such annuity plan, custodial account or other investment to the exclusion of any other plan, custodial account or other investment, whether group or individual.

SECTION 2. Chapter 71 of the General Laws is hereby amended by striking out section 37B, as so appearing, and inserting in place thereof the following section:-

Section 37B. A school committee or a board of trustees of a vocational school may, on a day appointed, which shall be within ninety days of the opening of a school year, enter into a written agreement with any of its employees to purchase or make payments to an individual or group annuity contract, custodial account, or any other investment authorized under section 403(b) of the

Internal Revenue Code for such employee; provided, however, that in no event shall the total of the premiums paid for the purchase of any such annuity, custodial account, or other investment and the employee's includible compensation for any year exceed the total annual salary or compensation under the existing salary schedule or classification plan applicable to such employee in such year. As used in this section, the words "includible compensation" shall have the same meaning as in said section 403(b) and the word "premiums" shall include contributions paid to any such custodial account or other investment. Such employee's rights under such annuity contract, custodial account or other investment shall be nonforfeitable. Any such contract shall be purchased only from an insurer authorized to issue life insurance or annuity contracts in the commonwealth; any such custodial account or other investment shall be purchased only from a company or corporation authorized to sell the same in the commonwealth; provided, however, that any such committee may agree with any employee or prospective employee who has any such annuity contract, custodial account or such other investment in force for at least ninety days prior to the effective date of such agreement to continue to make premium payments under such contract, account or investment subsequent to the effective date of such agreement, without regard to whether or not such contract, account or investment has been issued or sold by an entity authorized to issue or sell such contracts, accounts or other investments in the commonwealth, but in such case any subsequent contract shall be purchased only from an insurer authorized to issue life insurance or annuity contracts in the commonwealth, and any such custodial account or other investment shall be purchased only from a company or corporation authorized to sell such accounts or other investments in the commonwealth. Upon execution of such an agreement, the committee shall forthwith give written notice thereof to the treasurer or other payroll officer of the city, town or district, and shall certify the amount and dates of premiums payable under the terms of such contract, account or investment, the name of the issuing insurer or selling company or corporation and the office to which such premium payments shall be made. Said treasurer or other payroll officer shall transmit the premium payments so deducted to the issuing insurer or selling company or corporation within fourteen days of the deduction. Said treasurer or other payroll officer shall thereafter make such premium payments while such contract, account or investment is in force and such employee is actively employed by the committee and, upon written notice duly given by the

committee, shall make any changes in the manner or amount of premium payments required under the terms of any subsequent contract, account or investment entered into by such employee and the committee, and shall stop such premium payments when so notified by the committee. A school committee shall not offer to a teacher any such annuity plan, custodial account or other investment to the exclusion of any other plan, custodial account or other investments, whether group or individual.

House of Representatives, July 23, 1987.

Preamble adopted, George Keverian, Speaker.

In Senate, July 23, 1987.

Preamble adopted, William M. Bulger, President.

House of Representatives, July 23, 1987.

Bill passed to be enacted, George Keverian, Speaker.

In Senate, July 23, 1987.

Bill passed to be enacted, William M. Bulger, President.

August 3, 1987.

Approved,

at Two o'clock and 15 minutes, P. M.

Michael S. Dukakis, Governor.

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE FOUR)

S. 720 PETITION

Of Paul D. Harold, Royal L. Bolling, Sr., John W. Olver and Salvatore R. Albano for legislation relative to the use of executions in summary process cases.

01/07/87	S.	Referred to the committee on THE JUDICIARY
01/07/87	H.	House concurred
	P.	Hearing date Mar 25 pm
04/29/87	H.	Reported by committee
06/02/87	H.	Accompanied a new draft, see H5620

H. 5620 Bill relative to the use of executions in summary process cases.

06/02/87	H.	Reported from the committee on THE JUDICIARY
06/02/87	H.	New draft of S720 and H2207
06/02/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 860
06/03/87	H.	Read second and ordered to a third reading -HJ 881
06/23/87	H.	Read third and passed to be engrossed -HJ 1006
06/24/87	H.	Motion to reconsider prevailed
06/24/87	H.	Amendment adopted
06/24/87	H.	Again passed to be engrossed -HJ 1015
06/25/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 882
07/01/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 915
07/02/87	S.	Read second and ordered to a third reading -SJ 937
07/13/87	S.	Read third and passed to be engrossed -SJ 998
07/14/87	H.	Enacted -HJ 1166
07/14/87	S.	Enacted and laid before the Governor -SJ 1020
07/23/87	S.	Recalled from the Governor -SJ 1094
7/27/87	S.	Motion (by unanimous consent) to reconsider prevailed
07/27/87	S.	Rules suspended
07/27/87	S.	Amendment adopted -SJ 1096
07/30/87	H.	Rules suspended
07/30/87	H.	House concurred in the Senate amendments -HJ 1229
08/03/87	H.	Again enacted -HJ 1232
08/03/87	S.	Again enacted and again laid before the Governor -SJ 1107
08/11/87	G.	Signed by the Governor, Chapter 357 Acts

Chapter 357.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO THE USE OF EXECUTIONS IN SUMMARY PROCESS CASES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 235 of the General Laws is hereby amended by striking out section 23, as appearing in the 1986 Official Edition, and inserting in place thereof the following section:-

Section 23. Original executions issuing on judgments against executors, administrators, trustees and other fiduciary officers in their representative capacity, including any such original execution running against two or more parties, any one or more of whom are fiduciary officers as aforesaid in their representative capacity, or against sheriffs under section ten of chapter thirty-seven, or on special judgments entered under section twenty-four, shall be made returnable within sixty days after the date of the execution. Except as hereinafter provided, in all other cases, original executions shall be made returnable within twenty years after the date of the judgment.

Executions for possession of premises rented or leased for dwelling purposes obtained in actions pursuant to chapter two hundred and thirty-nine shall not be issued later than three months following the date of judgment, except that any period during which execution was stayed by order of the court or by an agreement of the parties filed with the court shall be excluded from the computation of the period of limitation. Such executions shall be made returnable within three months after the date of issuance and shall state the date of issuance and the return date. No sheriff, constable, officer, or other person shall serve or levy upon any such execution for possession later than three months following the date of the issuance of the execution.

SECTION 2. Section 3 of chapter 239 of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph the following four paragraphs:-

At least forty-eight hours prior to serving or levying upon an execution issued on a judgment for the plaintiff for possession of land or tenements

rented or leased for dwelling purposes, the officer serving or levying upon the execution shall give the defendant written notice that at a specified date and time he will serve or levy upon the execution and that at that time he will physically remove the defendant and his personal possessions from the premises if the defendant has not prior to that time vacated the premises voluntarily.

Said notice shall contain the signature, full name, full business address and business telephone number of the officer, and the name of the court and the docket number of the action, and shall be served in the same manner as the summary process summons and complaint.

No execution for possession of premises rented or leased for dwelling purposes shall be served or levied upon after five o'clock p.m. or before nine o'clock a.m., nor on a Saturday, Sunday, or legal holiday.

If the underlying money judgment in any summary process action for nonpayment of rent in premises rented or leased for dwelling purposes has been fully satisfied, together with any use and occupancy accruing since the date of judgment, the plaintiff shall be barred from levying on any execution for possession that has issued and shall return the execution to the court fully satisfied. If no execution has issued, the plaintiff shall notify the court of the satisfaction of judgment and no execution shall issue thereafter. If the underlying money judgment has been fully satisfied and use and occupancy fully paid, the defendant shall be considered a lawful tenant and may enforce this right through judicial process, including injunctions barring the issuance of or levying upon the execution and motions to supersede or recall the execution. Notwithstanding this paragraph, the plaintiff shall not be required to accept full satisfaction of the money judgment. Any refusal by the plaintiff to accept full satisfaction of the money judgment under this paragraph shall not be a bar to the enforcement of said judgment in any lawful manner.

SECTION 3. Section 10 of said chapter 239, as so appearing, is hereby amended by adding the following paragraph:-

In any action to recover possession of premises occupied for dwelling purposes brought pursuant to this chapter in which a stay or stays of execution have been granted, by the court or by agreement of the parties, or in any such action where there is an agreement for judgment that grants the tenant a right to reinstate the tenancy, no execution shall issue prior to the expiration of

the period of such stay or stays of such reinstatement period unless the plaintiff shall first bring a motion for the issuance of the writ and the court after a hearing shall determine that the tenant or occupant is in substantial violation of a material term or condition of the stay or a material term of the agreement for judgment.

House of Representatives, August 3, 1987.

Passed to be enacted, George Lunciano, Speaker.

In Senate, August 3, 1987.

Passed to be enacted, Walter J. Brennan. Acting, President.

August 11, 1987.

Approved,

Richard Thornburgh Governor.

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE FIVE)

H. 3721 PETITION

Of Sherwood Guernesey, John E. McDonough, Marjorie A. Clapprood, Royal L. Bolling, Sr., and Barbara E. Gray relative to the medical definition of infertility in certain insurance policies.

01/08/87	H.	Referred to the committee on Insurance
01/08/87	S.	Senate concurred
03/09/87	H.	Discharged to the committee on HEALTH CARE -HJ 112
03/12/87	S.	Senate concurred -SJ 98
03/19/87	H.	Accompanied by S457 and H1523
03/19/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 153
05/15/87	H.	Committee recommended ought to pass and placed in the Orders of the Day for the next session -HJ 669
05/27/87	H.	Read second
05/26/87	H.	Ordered to a third reading -YEAS 107, NAYS 45 (See Yea and Nay in Supplement, No 268) -HJ 802
06/01/87	H.	Read third
06/01/87	H.	Quorum roll call - 129 members in attendance (See Yea and Nay in Supplement, No. 271)
06/01/87	H.	Passed to be engrossed -YEAS 92, NAYS 58 (See Yea and Nay in Supplement, No. 272)
06/01/87	H.	Motion to reconsider pending
06/01/87	H.	Placed in the Orders of the Day for the next session -HJ 848
06/02/87	H.	Pending motion to reconsider negatived -YEAS 50, NAYS 97 (See Yea and Nay in Supplement, No. 273) -HJ 865
06/04/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 659
07/14/87	S.	Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY
07/14/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1001
07/15/87	S.	Read second and ordered to a third reading -SJ 1030
09/21/87	S.	See journal for unanimous consent motion
09/21/87	S.	Read third
09/21/87	S.	Amendment pending
09/21/87	S.	Postponed to the next seession -SJ 1154
09/22/87	S.	Pending amendment withdrawn by unanimous consent
09/22/87	S.	Passed to be engrossed -SJ 1171
09/29/87	H.	Enacted -HJ 1360
09/29/87	S.	Enacted and laid before the Governor -SJ 1203
10/08/87	G.	Signed by the Governor, Chapter 394 Acts

H 3721

Chapter 394

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING A MEDICAL DEFINITION OF INFERTILITY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 47G, inserted by section 1 of chapter 363 of the acts of 1987, the following section:-

Section 47H. Any blanket or general policy of insurance, except a blanket or general policy of insurance which provides supplemental coverage to medicare or other governmental programs, described in subdivisions (A), (C) or (D) of section one hundred and ten which provides hospital expense or surgical expense insurance which includes pregnancy-related benefits and which is issued or subsequently renewed by agreement between the insurer and the policyholder, within or without the commonwealth, while this provision is effective, or any policy of accident and sickness insurance as described in section one hundred and eight which provides hospital expense or surgical expense insurance which includes pregnancy-related benefits and which is delivered or issued for delivery or subsequently renewed by agreement between the insurer and the policyholder in the commonwealth while this provision is effective, or any employees' health and welfare fund which provides hospital expense and surgical expense benefits which includes pregnancy-related benefits and which is promulgated or renewed to any person or group of persons in the commonwealth while this provision is effective shall provide, to the same extent that benefits are provided for other pregnancy-related procedures, coverage for medically necessary expenses of diagnosis and treatment of infertility. For purposes of this section, "infertility" shall mean the condition of a presumably healthy individual who is unable to conceive or produce conception during a period of one year.

SECTION 2. Chapter 176A of the General Laws is hereby amended by inserting after section 8J, inserted by section 3 of said chapter 363, the following section:-

Section 8K. Any contract, except contracts providing supplemental coverage to medicare or other governmental programs, between a subscriber and the corporation under an individual or group hospital service plan which is delivered, issued for delivery or renewed in the commonwealth while this provision is effective and which provides pregnancy-related benefits shall provide as a benefit for all individual subscribers or members within the commonwealth and all group members having a principal place of employment within the commonwealth, to the same extent that benefits are provided for other pregnancy-related procedures, coverage for medically necessary expenses of diagnosis and treatment of infertility. Said infertility benefits shall meet all other terms and conditions of the subscriber certificate. For purposes of this section, "infertility" shall mean the condition of a presumably healthy individual who is unable to conceive or produce conception during a period of one year.

SECTION 3. Chapter 176B of the General Laws is hereby amended by striking out section 4G, inserted by section 4 of said chapter 363, and inserting in place thereof the following two sections:-

Section 4I. Any subscription certificate under an individual or group medical service agreement, except certificates which provide supplemental coverage to Medicare or other governmental programs, which shall be delivered or issued or renewed in the commonwealth shall provide as benefits to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth for expense of cytologic screening and mammographic examination. Said benefits shall be at least equal to the following minimum requirement: (a) in the case of benefits for cytologic screening, said benefits shall provide for an annual cytologic screening for women eighteen years of age and older; and (b), in the case of benefits for mammographic examination said benefits shall provide for a baseline mammogram for women between the ages of thirty-five and forty and for mammogram on an annual basis for women forty years of age and older.

Section 4J. Any subscription certificate under an individual or group medical service agreement, except certificates which provide supplemental coverage to medicare or other governmental programs, which is delivered, issued for delivery or renewed in the commonwealth while this section is effective shall provide as a benefit for all individual subscribers or members within the commonwealth and all group members having a principal place of employment

within the commonwealth, to the same extent that benefits are provided for other pregnancy-related procedures and subject to the other terms and conditions of the subscription certificate, coverage for medically necessary expenses of diagnosis and treatment of infertility. Said infertility benefits shall meet all other terms and conditions of the subscription certificate. For purposes of this section, "infertility" shall mean the condition of a presumably healthy individual who is unable to conceive or produce conception during a period of one year.

SECTION 4. Section 4 of chapter 176G of the General Laws, as amended by section 5 of said chapter 363, is hereby further amended by adding the following sentence:- Such health maintenance contract shall also provide coverage for diagnosis and treatment of infertility as set forth in section forty-seven H of chapter one hundred and seventy-five.

House of Representatives, September 29, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, September 29, 1987.

Passed to be enacted, William M. Bulger, President.

October 8, 1987.

Approved,

Michael S. Dukakis Governor.

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE SIX)

H. 1745 PETITION

Of Kevin P. Blanchette, Royal L. Bolling, Sr., Frank A. Emilio and Joseph B. McIntyre for legislation to provide for local and voluntary acceptace of collective bargaining closure decisions.

01/07/87	H.	Referred to the committee on PUBLIC SERVICE
01/07/87	S.	Senate concurred
	P.	Hearing date Feb 18 am
03/02/87	H.	Bill reported favorably by committee
03/02/87	H.	Rules suspended -YEAS 110, NAYS 35 (See Yea and Nay in Supplement, No. 42)
03/02/87	H.	Read second
03/02/87	H.	Motion to refer to House Ways and Means negatived -YEAS 119, NAYS 30 (See Yea and Nay in Supplement, No. 44) -HJ 71
03/10/87	H.	Read third
03/10/87	H.	Amendment rejected -YEAS 27, NAYS 119 (See Yea and Nay in Supplement, No. 63)
03/10/87	H.	Passed to be engrossed -YEAS 114, NAYS 33 (See Yea and Nay in Supplement, No. 64) -HJ 126
03/12/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 96
12/03/87	S.	Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY
12/03/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1559
12/07/87	S.	Read second
12/07/87	S.	Amendment pending
12/07/87	S.	Postponed to the next session -SJ 1576
12/09/87	S.	Pending amendment rejected
12/09/87	S.	Amendment rejected -YEAS 3, NAYS 30
12/09/87	S.	Amendment rejected
12/09/87	S.	Amendment rejected
12/09/87	S.	Amendment rejected -YEAS7, NAYS 27
12/09/87	S.	Amendment rejected
12/09/87	S.	Ordered to a third reading -YEAS 31, NAYS 2
12/09/87	S.	Rules suspended
12/09/87	S.	Read third and passed to a engrossed -SJs 1593-1596
12/10/87	H.	Enacted -HJ 1732
12/14/87	S.	Enacted and laid before the Governor -SJ 1615
12/21/87	G.	Signed by the Governor, Chapter 589 Acts

Section 91B. It shall be a defense to any claim for libel or slander brought by a vendor against a purchaser of goods or services that the statement on which the claim is based relates to a loan from a bank used to purchase such goods or services and was made by the purchaser in good faith to an agent or employee of such bank.

Approved December 21, 1987.

Chapter 589. AN ACT RELATIVE TO DISPUTE RESOLUTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 1078 of the acts of 1973 is hereby amended by striking out section 4A, as most recently amended by section 238 of chapter 351 of the acts of 1981, and inserting in place thereof the following section:-

Section 4A. (1) (a)(i) There shall be in the executive office of labor, but not subject to the jurisdiction thereof, a committee to be known as the joint labor-management committee, in this section referred to as the committee. The committee shall be composed of fourteen members, including a chairman and a vice-chairman and such alternate members as the committee shall approve. Twelve committee members shall be appointed by the governor as follows: three firefighters from nominations submitted by the Professional Firefighters of Massachusetts, International Association of Firefighters, AFL-CIO, three police officers from nominations submitted by the International Brotherhood of Police Officers, NAGE, SEIU, AFL-CIO, and the Massachusetts Police Association, and six from nominations submitted by the Advisory Commission on Local Government established under section sixty-two of chapter three of the General Laws. Said twelve members shall be appointed for a term of three years; provided however that in making his initial appointments, the governor shall appoint one member nominated by said professional firefighters organization for a term of one year, one such member for a term of two years, and one such member for a term of three years; one member nominated by said professional police organization for a term of one year, one such member for a term of two years, and one such member for a term of three years; and two members nominated by said advisory commission for a term of one year; two such members for a term of two years, and two such members for a term of three years. Any member of the committee may be removed by the governor for neglect of duty, malfeasance in office, or upon request by the nominating body.

(ii) The chairman and vice-chairman shall be nominated by the committee, and appointed by the governor for a term of three years. The chairman shall be the chief administrative officer of the committee. The vice-chairman shall assist the chairman and may be authorized by the chairman to act for him in his absence and shall have the full powers of the chairman when so authorized and he shall vote

only in the absence of the chairman.

(iii) Alternate members may serve for such term and under such conditions, as the committee shall determine. Said professional police organizations, professional fire organization, and said advisory commission shall specify alternate members to represent their respective members, subject to the approval of the full committee.

(b) In matters exclusively pertaining to municipal firefighters, committee members nominated for appointment by professional police organizations shall not vote. In matters exclusively pertaining to municipal police officers, committee members nominated for appointment by professional firefighters organizations shall not vote. All committee members shall be eligible to vote on matters of common and general interest. The number of committee members representing the local government advisory commission and the number of committee members representing the professional firefighters or police organizations entitled to vote on any matter coming before the committee shall be equal. The chairman may cast the deciding vote on any matter relating to a dispute concerning negotiations over the terms and provisions of a collective bargaining agreement, including any decision to take jurisdiction over a dispute.

(c) Members and alternate members of the committee shall serve without compensation, but shall be entitled to reimbursement, out of any funds available for the purpose, for reasonable travel or other expenses actually incurred in the performance of their committee duties. The chairman and vice-chairman shall be compensated for time spent for the committee business on a per diem basis at a rate to be determined by the secretary of administration and finance. The committee may purchase such supplies and equipment, and may employ such clerical, staff and other personnel who shall not be subject to the provisions of section nine A of chapter thirty or chapter thirty-one of the General Laws, as they deem necessary to the conduct of committee business out of any funds available for the purpose. Members and alternate members of the committee employed by a municipality shall be granted leave, if on duty, by the municipal employer for those regularly scheduled work hours spent in the performance of committee business.

(2) (a) The committee shall have oversight responsibility for all collective bargaining negotiations involving municipal police officers and firefighters. The committee shall, at its discretion, have jurisdiction in any dispute over the negotiations of the terms of a collective bargaining agreement involving municipal firefighters or police officers; provided, however, that the committee may determine whether the proceedings for the prevention of any prohibited practices filed with the labor relations commission shall or shall not prevent arbitration pursuant to this section.

(b) After notification by the committee, the parties to any municipal police and fire negotiations shall file with the committee, in such time as the committee orders:

(1) copies of all requests to bargain, and of all bargaining agenda;

(2) notification of the apparent exhaustion of the processes of

collective bargaining;

(3) notification of all pending unfair labor practice proceedings between the parties;

(4) copies of any factfinding reports;

(5) notification of any impasse extending beyond completion of factfinding procedures;

(6) copies of any collective bargaining agreements, and any relevant personnel ordinances, by-laws, and rules and regulations; and

(7) such other information as the committee may reasonably require.

(c) Notwithstanding the provisions of the first paragraph of section nine of chapter one hundred and fifty E of the General Laws to the contrary, when either party or the parties acting jointly to a municipal police and fire collective bargaining negotiations believe that the process of collective bargaining has been exhausted the party or both parties shall petition first the committee for the exercise of jurisdiction and for the determination of the apparent exhaustion of the process of collective bargaining.

The committee shall forthwith review the petition and shall make a determination within thirty days whether to exercise jurisdiction over the dispute. Subject to the provisions of the second paragraph of clause (d) of this subdivision, if the committee declines to exercise jurisdiction over the dispute or fails to act within thirty days of receipt of the petition on jurisdiction, the petition shall be automatically referred to the board of arbitration and conciliation, hereinafter referred to as the board, for disposition in accordance with the provisions of section nine of chapter one hundred and fifty E of the General Laws.

The petition to the committee shall identify the issues in dispute, the parties, the efforts of the parties to resolve the dispute and such other information as may be prescribed in the rules of the committee.

Said board shall not accept any petition from a party to a municipal police and fire negotiation under section nine of chapter one hundred and fifty E of the General Laws if the petition has not been first reviewed in accordance with the provis

(d) The committee or it
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parties to agree on the te
procedures to resolve a dis
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The committee after c
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all other applicable provisions of law.

(3) (a) The committee shall have exclusive jurisdiction in matters over which it assumes jurisdiction and shall determine whether issues in negotiations have remained unresolved for an unreasonable period of time resulting in the apparent exhaustion of the processes of collective bargaining. If the committee makes such a determination it is authorized to hold a hearing to identify:

(1) the issues that remain in dispute;

(2) the current positions of the parties;

(3) the views of the parties as to how the continuing dispute should be resolved; and

(4) the preferences of the parties as to the mechanism to be followed in order to reach a final agreement between the parties.

If the committee, after a full hearing, finds there is an apparent exhaustion of the processes of collective bargaining which constitutes a potential threat to public welfare, it shall so notify the parties of its findings.

Within ten days of such notification, the committee shall also notify the parties of its intent to invoke such procedures and mechanisms as it deems appropriate for the resolution of the collective bargaining negotiations. Such procedures and mechanisms may include, but need not be limited to:

(1) any form of arbitration, including, but not limited to, conventional arbitration, issue by issue or last best offer;

(2) arbitration for all or any issue in dispute; provided, however, that the committee may direct the parties to conduct further negotiations concerning issues not specified for arbitration;

(3) single arbitrators, including the chairman, vice-chairman or an outside neutral arbitrator;

(4) an arbitration board, which may include labor and public management representatives as voting or non-voting members;

(5) separate stages or procedures for the executive and legislative bodies of a municipality.

The factors to be given weight in any decision or determination resulting from the mechanism or procedures determined by the committee to be followed by the parties in order to reach final agreement pursuant to this section shall include, but not be limited to:

(1) Such an award which shall be consistent with: (i) section twenty-one C of chapter fifty-nine of the General Laws, and (ii) any appropriation for that fiscal year from the fund established in section two D of chapter twenty-nine of the General Laws.

(2) The financial ability of the municipality to meet costs.

The commissioner of revenue shall assist the committee in determining such financial ability.] Such factors which shall be taken into consideration shall include but not be limited to: (i) the city, town, or district's state reimbursements and assessments; (ii) the city, town or district's long and short term bonded indebtedness; (iii) the city, town or district's estimated share in the metropolitan district commission's deficit; (iv) the city, town or district's estimated share in the

Massachusetts Bay Transportation Authority's deficit; and (v) consideration of the average per capita property tax burden, average annual income of members of the community, the effect any accord might have on the respective property tax rates on the city or town.

(3) The interests and welfare of the public.

(4) The hazards of employment, physical, educational and mental qualifications, job training and skills involved.

(5) A comparison of wages, hours and conditions of employment of the employees involved in the arbitration proceedings with the wages, hours and conditions of employment of other employees performing similar services and with other employees generally in public and private employment in comparable communities.

(6) The decisions and recommendations of the factfinder, if any.

(7) The average consumer prices for goods and services, commonly known as the cost of living.

(8) The overall compensation presently received by the employees, including direct wages and fringe benefits.

(9) Changes in any of the foregoing circumstances during the pendency of the dispute.

(10) Such other factors, not confined to the foregoing, which are normally or traditionally taken into consideration in the determination of wages, hours and conditions of employment through voluntary collective bargaining, mediation, factfinding, arbitration or otherwise between parties, in the public service or in private employment.

(11) The stipulation of the parties.

Any decision or determination resulting from the mechanism or procedures determined by the committee if supported by material and substantive evidence on the whole record shall be, subject to the approval by the legislative body of a funding request as set forth in this section, binding upon the public employer and employee organization, as set forth in chapter one hundred and fifty E of the General Laws, and may be enforced at the instance of either party or the committee in the superior court in equity; provided, however, that the scope of arbitration in police matters shall be limited to wages, hours, and conditions of employment and shall not include the following matters of inherent managerial policy: the right to appoint, promote, assign, and transfer employees; and provided, further, that the scope of arbitration in firefighter matters shall not include the right to appoint and promote employees. Assignments shall not be within the scope of arbitration; provided, however, that the subject matters of initial station assignment upon appointment or promotion shall be within the scope of arbitration. The subject matter of transfer shall not be be within the scope of arbitration, provided however, that the subject matters of relationship of seniority to transfers and disciplinary and punitive transfers shall be within the scope of arbitration. Notwithstanding any other provisions of this act to the contrary, no municipal employer shall be required to negotiate over subjects of minimum manning of shift coverage, with an employee organization representing municipal police officers and firefighters. Nothing in this section shall be construed to include within the scope of arbitration any matters not otherwise subject to collective

bargaining under the provisions of chapter one hundred and fifty E of the General Laws. The employer shall submit to the appropriate legislative body within thirty days after the date on which the decision or determination is issued a request for the appropriation necessary to fund such decision or determination, with his recommendation for approval of said request. Notwithstanding the foregoing, where the legislative body is a town meeting, such request shall be made to the earlier of (i) the next occurring annual town meeting, or (ii) the next occurring special town meeting. The employer and the exclusive employee representative shall support any such decision or determination in the same way and to the same extent that the employer or the exclusive employee representative, respectively, is required to support any other decision or determination agreed to by an employer and an exclusive employee representative pursuant to the provisions of said chapter one hundred and fifty E of the General Laws. If the municipal legislative body votes not to approve the request for appropriation, the decision or determination shall cease to be binding on the parties and the matter shall be returned to the parties for further bargaining. The committee may take such further action as it deems appropriate, including without limitation, inquiring as to the municipal legislative body's vote.

The commencement of a new municipal finance year prior to the final awards by the arbitration panel shall not be deemed to render a dispute moot, or to otherwise impair the jurisdiction or authority of the arbitration panel or its award. Any award of the arbitration panel may be retroactive to the expiration date of the last contract.

If a municipal employer, or an employee organization willfully disobeys a lawful order of enforcement pursuant to this section, or willfully encourages or offers resistance to such order, whether by strike or otherwise, the punishment for each day that such contempt continues may be a fine for each day to be determined at the discretion of said court. Such fine shall be in addition to such other remedies as the court may determine.

No member of a unit of municipal police officers or firefighters who is employed on a less than full-time basis shall be subject to the provisions of this clause.

When the parties to a municipal police or fire collective bargaining negotiation jointly design their own dispute resolution procedures, they may divest the committee of jurisdiction by presenting a written agreement of their procedures to the committee; provided, however, that the committee finds that said procedures provide for a final resolution of the dispute, without resort to strike, job action, or lockout; and provided, further that if the committee subsequently finds that either of the parties fails to abide by said procedures, the committee shall assume jurisdiction of the dispute.

(b) In any dispute resolution conducted by other than the committee or its members or staff, the parties shall share and pay equally the costs involved in such resolution; provided, however, that pursuant to a vote of the committee and subject to the availability of funds for the purpose thereof, said costs may be paid by the committee.

(c) The committee shall have jurisdiction in any particular dispute concerning job titles over which the parties have negotiated or to remove specific job titles from collective bargaining for individuals performing certain specific management duties.

(4) The committee shall promulgate rules and regulations necessary for the performance and enforcement of the responsibilities and powers set forth in this act; provided, however, that said committee file a copy of any regulations or amendments thereto with the clerks of the senate and the house of representatives who, with the approval of the president of the senate and speaker of the house of representatives, shall refer such regulations to an appropriate committee of the general court. Within thirty days after such filing, the appropriate committee of the general court shall hold a hearing on such regulations and shall issue a report and file a copy with the joint labor-management committee. Said joint labor-management committee shall consider such report and make revisions in the regulations as it deems appropriate in view of such report and shall forthwith file a copy of the final regulations with the chairman of the committee of the general court to which the regulations were referred.

On or before the first Wednesday of each year in which the provisions of clause (a) of subdivision (3) of this section are in effect, the committee shall file with the clerks of the senate and of the house of representatives, and with the chairmen of the special commission on dispute resolution established under chapter two of the resolves of nineteen hundred and eighty-four, a report assessing the efficacy of the provisions of said clause in decreasing the length and severity of municipal public safety bargaining disputes, and the other impacts, if any, of said provisions on the collective bargaining process. Such report shall include a full listing of any matters in which the provisions of said clause were invoked during the previous twelve months, and the final disposition of any such matters, together with the committee's recommendations, if any, for the modification or extension of said provisions.

The provisions of chapter thirty A of the General Laws, unless otherwise provided, shall apply to the committee.

The committee shall have the power to administer oaths and to require by subpoena the attendance and testimony of witnesses, the production of books, records, and other evidence relative to or pertinent to the issues presented to the committee.

SECTION 2. Notwithstanding the provisions of section one of this act to the contrary, any person serving as a member of the joint labor-management committee immediately preceding the effective date of this act shall continue in such service for a period of one year, after which period initial appointments shall be made by the governor, pursuant to the provisions of this act.

SECTION 3. The provisions of clause (a) of subdivision (3) of section four A of chapter one thousand and seventy-eight of the acts of nineteen

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE SEVEN)

S. 445 PETITION

Of Edward L. Burke, Argeo Paul Cellucci, Michael J. Barrett, Royal L. Bolling, Sr., John W. Olver and Salvatore R. Albano for legislation to protect hospital patients in need of aftercare services.

01/07/87	S.	Referred to the committee on HEALTH CARE
01/07/87	H.	House concurred
	P.	Hearing date Mar 23 am
05/04/87	H.	Accompanied a new draft, see H5413

H. 5413 Bill relative to discharge planning.

05/04/87	H.	Reported from the committee on HEALTH CARE
05/04/87	H.	New draft of S445, S477, H2329, H2529, H4229, H4403, and H4404
05/05/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 497
05/05/87	H.	Read second and ordered to a third reading -HJ 537
05/20/87	H.	Read third
05/20/87	H.	Amendments adopted
05/20/87	H.	Passed to be engrossed -HJ 760
05/21/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 575
12/03/87	S.	Committee recommended ought to pass with an amendment, inserting in place thereof the text of S2136
12/03/87	S.	Referred to the committee on SENATE STEERING AND POLICY -SJ 1562
12/08/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means new text (S2136) pending -SJ 1583
12/09/87	S.	Read second
12/09/87	S.	Amended by striking out all after the enacting clause and inserting in place thereof the text of S2136 (as recommended by committee)
12/09/87	S.	Ordered to a third reading
12/09/87	S.	Rules suspended
12/09/87	S.	Read third and passed to be engrossed -SJ 1590
12/15/87	H.	Rules suspended
12/15/87	H.	House concurred in the Senate amendment -HJ 1755
12/16/87	H.	Enacted -HJ 1796
12/21/87	S.	Enacted and laid before the Governor -SJ 1680
01/04/88	G.	Signed by the Governor, Chapter 655 Acts

H 5413

Chapter 655.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO DISCHARGE PLANNING.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 51D of chapter 111 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after the ninth paragraph the following ten paragraphs:-

Each acute care hospital is hereby required, in accordance with applicable federal and state regulations, to create for each medicare patient determined to need assistance with post-hospital care, a written comprehensive, individualized, discharge plan consistent with medical discharge orders and identified patient needs. Said plan shall be developed with the participation of appropriate health care professionals, the medicare patient and, as appropriate, the patient's family or representative. The patient's representative shall be selected in accordance with department regulations. The discharge plan shall be given to the patient or the patient's representative at least twenty-four hours prior to discharge, except where such a requirement is not feasible due to a short length of stay. If said plan is revised due to the medical needs of the patient or due to a space becoming available in an appropriate institutional setting, the twenty-four hour requirement shall not apply to the amended plan, except insofar as such timing relates to the filing of a request for review with the advocacy office as hereinafter provided.

The discharge plan shall include at least the following information:

(1) identification of the post-hospital services needed by the patient, including home health and homemaker services, and of the post-hospital social needs of the patient, as determined in accordance with procedures set forth by the department;

(2) the services that have been arranged for the patient;

(3) the names, addresses, and telephone numbers of service providers;

(4) the service schedule as requested by the hospital;

(5) medications prescribed and instructions for their use or verification that such information was provided separately;

(6) scheduled follow-up medical appointments or verification that such information was provided separately; and

(7) such other information as the department may require.

Each hospital shall have a clear, concise front page on the discharge plan, which front page shall be written in large print and understandable language. The front page shall contain at least the following:

(1) the name and telephone number of the hospital discharge planning coordinator to be contacted in the event the patient has any problems with post-hospital services after said patient leaves the hospital;

(2) a notice that, in the event the patient or the patient's representative does not agree with the discharge plan, the discharge planning coordinator and the patient's physician shall meet with the patient or the patient's representative in an effort to develop a plan that is acceptable to the patient;

(3) a notice, including the advocacy office telephone number, that, if an acceptable resolution is not reached as a result of the meeting provided for in clause (2), the patient or the patient's representative may file a request for review of the discharge plan with the advocacy office, as hereinafter provided;

(4) a notice that signing the discharge plan does not necessarily indicate approval of the plan and does not preclude the right to request a meeting or a review pursuant to clauses (2) and (3); and

(5) a signature line for the patient or the patient's representative acknowledging participation in the development of the discharge plan and receipt of a copy of said plan.

If the patient or the patient's representative does not sign the plan, the reason for not signing shall be noted on the plan. A signed or noted copy of the plan shall be retained in the patient's medical record. The patient's medical record shall also document that said plan was communicated orally to the patient or to the patient's representative.

No hospital may discharge a medicare patient without the patient or patient's representative having received, read and signed the front page of the discharge plan or upon decision of the advocacy office.

If a discharge plan cannot be agreed upon as a result of the meeting of the patient or the patient's representative, the discharge planning coordinator and the patient's physician, as provided for in this section, the patient

or the patient's representative shall have the right to file a request for a review of said discharge plan with the department's advocacy office. The hospital also shall have the right to file a request for a review of said discharge. A request for review shall be made with the advocacy office not later than noon of the first working day after the date the patient or the patient's representative receives the written discharge plan. The hospital shall deliver to the advocacy office the records required to review the discharge plan by the close of such working day. The advocacy office shall either approve or disapprove the discharge plan within one working day of receiving the request for review and the hospital records. Said discharge plan shall not be approved unless the requirements set forth herein have been satisfied.

If the advocacy office approves the discharge plan, discharge shall occur pursuant to the approved plan by noon of the day following notification of the advocacy office's decision, unless hospital and patient agree otherwise. If the advocacy office does not approve the discharge plan, said office shall state the problems needing correction, and the hospital shall not charge the medicare patient for inpatient hospital services until an alternative plan is developed to resolve the problems set forth by the advocacy office. The requirements of this section relating to the initial discharge also shall apply to the alternative plan.

If a timely request for review has been filed with the advocacy office, the hospital shall not charge the medicare patient for inpatient hospital services furnished before noon of the day after said patient is notified by telephone or otherwise of the advocacy office's decision. If notice is made by telephone, the notice shall be made to both parties to the review and shall be followed by written notice as soon as possible.

No patient shall be discharged or transferred without a physician's order, except where such patient leaves against medical advice. No patient shall be discharged until the hospital has made all appropriate contacts to initiate the provisions for aftercare services.

A medicare patient treated at the emergency room of an acute care hospital shall be provided with a discharge plan in accordance with the requirements of this section, with the exception of the right to request a review of such discharge plan by the advocacy office prior to such discharge.

H 5413

House of Representatives, December 16, 1987.

Passed to be enacted, George Lemieux, Speaker.

In Senate, December , 1987.

Passed to be enacted, William M. Bulger, President.

January 4, 1988

Approved,

Governor.

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE EIGHT)

S. 1245 PETITION

Of Royal L. Bolling, Sr., for legislation relative to the maintenance of public building.

01/07/87	S.	Referred to the committee on STATE ADMINISTRATION
01/07/87	H.	House concurred
	P.	Hearing date Feb 9am
03/05/87	H.	Accompanied a new draft, see H5103

H. 5103 Bill relative to the maintenance of public buildings.

03/05/87	H.	Reported from the committee on STATE ADMINISTRATION
03/05/87	H.	New draft of S1245 and H1896
03/05/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 101
06/23/87	H.	Committee recommended ought to pass and placed in the Orders of the Day for the next session -HJ 1001
06/24/87	H.	Read second and ordered to a third reading -HJ 1016
07/08/87	H.	Read third and passed to be engrossed -HJ 1130
07/09/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 980
12/23/87	S.	Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY
12/23/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1721
12/28/87	S.	Read second and ordered to a third reading -SJ 1743
12/29/87	S.	Read third and passed to be engrossed -SJ 1763
01/04/88	H.	Enacted -HJ 1909
01/05/88	S.	Enacted and laid before the Governor -SJ 1837
01/14/88	G.	Signed by the Governor, Chapter 762 Acts

Chapter 762

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO THE MAINTENANCE OF PUBLIC BUILDINGS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 27G the following section:-

Section 27H. No agreement or contract providing for the cleaning and maintenance of public buildings or space rented by the commonwealth, shall be entered into or given by the commonwealth unless said contract or agreement contains a stipulation requiring prescribed rates of wages, as determined by the commissioners, to be paid to the employees of the maintenance or cleaning contractor. Any such contract which does not contain said stipulation shall be invalid, and no payment shall be made thereunder. Said rates of wages shall be requested of the commissioner, and shall be furnished by the commissioner in a schedule containing the classifications of jobs and rate of wages to be paid for each job. Said rates of wages shall include payments to health and welfare plans, or, if no such plan is in effect between employers and employees, the amount of such payments shall be paid directly to said employees. Whoever pays less than said rates of wages, including payments to health and welfare funds, or the equivalent in wages, on said works, and whoever accepts for his own use, or for the use of any other person as a rebate, gratuity or in any other guise, any part or portion of said wages or health and welfare funds, shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

House of Representatives, January 4, 1988.

Passed to be enacted, George Keverian, Speaker.

H 5103

In Senate, January 5 , 1988.

Passed to be enacted, William M. Bulger , President.

January 14 , 1988.

Approved,

Michael S. Dukakis Governor.

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE NINE)

S. 205		PETITION
		Of Royal L. Bolling, Sr., for legislation to increase the maximum per pupil reimbursement allowed for school transportation purposes.
01/07/87	S.	Referred to the committee on EDUCATION
01/07/87	H.	House concurred
	P.	Hearing date Mar 26 am
04/23/87	S.	Accompanied new draft, see S1733 -SJ 291
S. 207		Of Royal L. Bolling, Sr., for legislation relative to certain reimbursements for the costs of transportation of special needs students.
01/07/87	S.	Referred to the committee on EDUCATION
01/07/87	H.	House concurred
	P.	Hearing date Mar 26 am
04/23/87	S.	Accompanied a new draft, see S1733 -SJ 291
S. 1733		Bill to further authorize the transportation of students.
04/23/87	S.	Reported from the committee on EDUCATION
04/23/87	S.	New draft of S205, S207, S231, S248, S249, S271, S305, H295, H296, H1494, H1507, H2305, H2507, H3128, H3276, H3277 and H4672
04/23/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 291
05/19/87	S.	Reported (in part) by S1878 -SJ 548
10/15/87	S.	Committee recommended ought to pass with an amendment
10/15/87	S.	Referred to the committee on SENATE STEERING AND POLICY
10/15/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means amendment pending -SJ 1272
10/19/87	S.	Read second
10/19/87	S.	Motion to lay on the table pending and postponed to the next session -SJs 1289-1290
10/20/87	S.	Pending motion to lay on the table negatived
10/20/87	S.	Pending Ways and Means amendment adopted
10/20/87	S.	Further amendment adopted
10/20/87	S.	Ordered to a third reading
10/20/87	S.	Rules suspended
10/20/87	S.	Read third and passed to be engrossed -SJ 1309
10/21/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1473
11/09/87	H.	Committee recommended ought to pass and placed in the Orders of the Day for the next session -HJ 1548
11/10/87	H.	Read second
11/10/87	H.	Placed at the end of the Orders of the Day -HJ 1567
11/16/87	H.	Amendment adopted

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE TEN)

11/16/87	H.	Amendment rejected - YEAS 66, NAYS 72 (See Yea and Nay in Supplement, No. 443)
11/16/87	H.	Ordered to a third reading -YEAS 109, NAYS 26 (See Yea and Nay in Supplement, No 444) -HJ 1584
12/09/87	H.	Read third
12/09/87	H.	Bills in the Third Reading new draft pending
12/09/87	H.	See actions and roll call posted on H6330
12/09/87	H.	Pending new draft substituted, see H6330, printed as amended -HJ 1722

H. 6330 Bill further regulating the transportation of students (printed as amended by the House on Dec 9).

12/09/87	H.	Reported from the committee on HOUSE BILLS IN THE THIRD READING
12/09/87	H.	New draft
12/09/87	H.	Amendment adopted
12/09/87	H.	Amendment rejected -YEAS 54, NAYS 98 (See Yea and Nay in Supplement, No. 487)
12/09/87	H.	Substituted, as amended, for S1733
12/09/87	H.	Passed to be engrossed -HJ 1722
12/10/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1607
12/16/87	S.	Committee recommended ought to pass with an amendment
12/16/87	S.	Referred to the committee on SENATE STEERING AND POLICY
12/16/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means amendment pending -SJs 1643
12/17/87	S.	Read second, amended (as recommended by the committee on Ways and Means) and ordered to a third reading -SJ 1667
12/28/87	S.	Read third, amended and passed to be engrossed -SJs 1744 1745
01/04/88	H.	Rules suspended
01/04/88	H.	House concurred in the Senate amendment -YEAS 106, NAYS 44 (See Yea and Nay in Supplement, No. 610)
01/04/88	H.	Motion to reconsider negatived -HJ 1907
01/05/88	H.	Enacted -HJ 1934
01/05/88	S.	Enacted and laid before the Governor -SJ 1848
01/14/88	G.	Signed by the Governor, Chapter 767 Acts

Chapter 767

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING THE TRANSPORTATION OF STUDENTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The first paragraph of section 7A of chapter 71 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:- The state treasurer shall annually, on or before November twentieth, pay to the several towns subject to appropriation, the sums required as reimbursement for expenses approved by the commissioner of education, incurred by any town for the transportation of pupils not more than twice daily between any school within the town, or in another town, and the pupil's home, a day care facility licensed or registered by the office for children, or a day care facility which is part of a public school system or a private, organized educational system, in accordance with standards approved by the school committee, in excess of five dollars per annum per pupil in the net average membership of such town; provided, however, that (a) no reimbursement for transporting a pupil between school and home shall be made on account of any pupil who resides less than one and one-half miles from the school which he attends, measured by a commonly traveled route; (b) no reimbursement for transporting a pupil between school and a day care facility licensed or registered by the office for children or a day care facility which is part of a public school system or a private, organized educational system, shall be made if the distance between the school and said facility is less than one and one-half miles, measured by a commonly traveled route, nor for transportation to a day care facility located outside the boundaries of the school district; (c) the amount of grant, per pupil, for transportation to private schools in towns which furnish such transportation, shall not exceed the amount of grant per pupil for transportation to public schools and (d) no contract shall be awarded except upon the basis of prevailing wage rates, as hereinafter provided, and of sealed bids, and the school committee shall, in the event that a contract is

awarded to other than the lowest bidder, file with the department a written statement giving its reasons therefor, which statement shall be open to public inspection. Nothing in this paragraph shall be construed to mean that, with the consent of a pupil's parent or guardian, a school committee is in any way prohibited from providing transportation for a pupil to any location.

SECTION 2. Section 16C of said chapter 71, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:- The regional school district shall be subject to all laws pertaining to school transportation; and when the agreement provides for the furnishing of transportation by the regional school district, the commonwealth shall reimburse such district to the full extent of the amounts expended for such transportation; provided, however, that no reimbursement for transportation between school and home shall be made on account of any pupil who resides less than one and one-half miles from the school of attendance, measured by a commonly traveled route. The commonwealth shall further reimburse such district to the full extent of the amounts expended for the transportation of pupils between school and a day care facility licensed or registered by the office for children or a day care facility which is part of a public school system or a private, organized educational system, in accordance with standards approved by the school committee; provided, however, that no reimbursement shall be made if the distance between the school and said facility is less than one and one-half miles, measured by a commonly traveled route, nor shall reimbursement be provided for transportation to a day care facility located outside the boundaries of the regional school district.

SECTION 3. The provisions of this act relative to day care transportation shall apply in a city, town or regional school district after acceptance by a majority vote of the city council with the approval of the mayor, in the case of a city with a Plan A, Plan B or Plan F charter; by a majority vote of the city council, in the case of a city with a Plan C, Plan D or Plan E charter; by a majority vote of the annual town meeting or a special meeting called for the purpose, in the case of a municipality with a town meeting form of government; or by a majority vote of the town council, in the case of a municipality with a town council form of government; or by a majority vote of the school committee and by majority vote of two-thirds of the appropriating authorities of the member cities and towns, in the case of a regional school district.

SECTION 4. Reimbursement provided to cities, towns, and regional school districts for transportation costs provided pursuant to section seven A and section sixteen C of chapter seventy-one of the General Laws shall not be reduced as a result of cost savings realized by a city, town, or regional school district in implementing a program to transport students to day care services pursuant to said section seven A and said section sixteen C.

House of Representatives, January 5, 1988.

Passed to be enacted, George Keverian, Speaker.

In Senate, January 5, 1988.

Passed to be enacted, William M. Bulger, President.

January 14, 1988.

Approved,

Governor.

REPRESENTATIVE GLORIA L. FOX

H. 4852 PETITION

Of James T. Brett, Gloria L. Fox, Emanuel G. Serra and W. Paul White relative to a certificate by a ballistic expert of the city of Boston as evidence of the identification of firearms.

01/12/87	H.	Referred to the committee on PUBLIC SAFETY
01/12/87	S.	Senate concurred
	P.	Hearing date Apr 1 am
04/28/87	H.	Accomapnied a new draft, see H5361

H. 5361 Bill relative to the identification of firearms.

04/28/87	H.	Reported from the committee on PUBLIC SAFETY
04/28/87	H.	New draft of H4852
04/28/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 433
04/29/87	H.	Read second and ordered to a third reading -HJ461
06/02/87	H.	Read third
06/02/87	H.	Bills in the Third Reading new draft substituted, see H5631 -HJ 863

H. 5631 Bill relative to the identification of firearms.

06/02/87	H.	Reported from the committee on HOUSE BILLS IN THE THIRD READING
06/02/87	H.	New draft
06/02/87	H.	Substituted for H5361
06/02/87	H.	Passed to be engrossed -HJS 863-864
06/04/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 660
07/09/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 979
07/13/87	S.	Read second, ordered to a third reading, rules suspended read third and passed to be engrossed -SJ 997
07/14/87	H.	Enacted -HJ 1166
07/14/87	S.	Enacted and laid before the Governor -SJ 1020
07/21/87	G.	Signed by the Governor, Chapter 300 Acts

H 5631

Chapter 300.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO THE IDENTIFICATION OF FIREARMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 121A, as appearing in the 1984 Official Edition, and inserting in place thereof the following section:-

Section 121A. A certificate by a ballistics expert of the firearms identification section of the department of public safety or of the city of Boston of the result of an examination made by him of an item furnished him by any police officer, signed and sworn to by such expert, shall be prima facie evidence of his findings as to whether or not the item furnished is a firearm, rifle, shotgun, machine gun, sawed off shotgun or ammunition, as defined by section one hundred and twenty-one, provided that in order to qualify as an expert under this section he shall have previously qualified as an expert in a court proceeding.

House of Representatives, July 14, 1987.

Passed to be enacted, George Fiorentini, Speaker.

In Senate, July 14, 1987.

Passed to be enacted, William M. Bulger, President.

July 21, 1987.

Approved,

Governor.

REPRESENTATIVE GLORIA L. FOX
(CONTINUE PAGE TWO)

H. 5264 PETITION

Of Thomas M. Finneran and Gloria L. Fox for legislation to provide for adjustments in the calculation of lending limitations for certain stock corporations.

03/26/87	H.	Referred to the committee on JOINT RULES -HJ 196
04/02/87	H.	Reported, rules suspended and referred to the committee on BANKS AND BANKING -HJ 258
04/06/87	S.	Senate concurred -SJ 177
	P.	Hearing date Apr 13 pm
04/29/87	H.	Reported by committee
05/05/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 526
05/06/87	H.	Read second and ordered to a third reading -HJ 562
06/15/87	H.	Read third and passed to be engrossed -HJ 953
06/18/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 827
07/14/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1004
07/15/87	S.	Read second, ordered to a third reading, rules suspended read third and passed to be engrossed -SJ 1030
07/16/87	H.	Emergency preamble adopted -HJ 1210
07/16/87	S.	Emergency preamble adopted -SJ 1079
07/16/87	H.	Enacted -HJ 1210
07/16/87	S.	Enacted and laid before the Governor -SJs 1082-1083
07/23/87	G.	Signed by the Governor, Chapter 308 Acts

H 5264

Chapter 308.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO ADJUSTMENTS IN THE CALCULATION OF LENDING LIMITATIONS FOR CERTAIN STOCK CORPORATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately provide for adjustments in the calculation of lending limitations for certain stock corporations, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding the provisions of subsection A of section fourteen of chapter one hundred and sixty-seven E of the General Laws to the contrary, for purposes of calculating the limitations prescribed under said subsection A, any stock corporation that had negative undivided profits as of October seventeenth, nineteen hundred and eighty-four, shall treat the value of such undivided profits as zero through December thirty-first, nineteen hundred and eighty-six. The value of any additional negative undivided profits accumulated after October seventeenth, nineteen hundred and eighty-four, shall be included for purposes of calculating the limitations prescribed under said subsection A.

SECTION 2. This act shall take effect as of October seventeenth, nineteen hundred and eighty-four.

House of Representatives, July 16, 1987.

Preamble adopted, George Keverian, Speaker.

In Senate, July 16, 1987.

Preamble adopted, William M. Bulger, President.

H 5264

House of Representatives, July 16, 1987.

Bill passed to be enacted, George Keverian, Speaker.

In Senate, July 16, 1987.

Bill passed to be enacted, William M. Bulger, President.

July 23, 1987.

Approved,

at Two o'clock and 30 minutes, P. M.

Governor.

REPRESENTATIVE GLORIA L. FOX
(CONTINUE PAGE THREE)

H. 2759 PETITION

Of Kevin W. Fitzgerald, William R. Keating, Richard J. Rouse, Kevin G. Honan, Gloria L. Fox and Shirley Owens-Hicks for legislation to regulate the right of certain persons to participate in rent subsidy programs.

01/08/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
01/08/87	S.	Senate concurred
04/29/87	H.	Reported by committee
06/18/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for Day for the next session - HJ 981
06/22/87	H.	Read second and ordered to a third reading -HJ 994
10/06/87	H.	Read third and passed to be engrossed -HJ 1405
10/07/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 1239
10/29/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1367
11/02/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 1382
11/04/87	H.	Enacted -HJ 1534
11/05/87	S.	Enacted and laid before the Governor -SJ 1395
11/17/87	G.	Signed by the Governor, Chapter 497 Acts

Chapter 497.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT REGULATING THE RIGHT OF CERTAIN PERSONS TO PARTICIPATE IN RENT SUBSIDY PROGRAMS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 20 of chapter 268A of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after the word "programs", in line 54, the following words:- or (h) to a municipal employee who is the owner of residential rental property and rents such property to a tenant receiving a rental subsidy administered by a local housing authority, unless such employee is employed by such local housing authority in a capacity in which he has responsibility for the administration of such subsidy programs.

House of Representatives, November 4, 1987.

Passed to be enacted, Acting, Speaker.

In Senate, November 5, 1987.

Passed to be enacted, , President.

November 17, 1987.

Approved,

Governor.

REPRESENTATIVE GLORIA L. FOX
(CONTINUE PAGE FOUR)

H. 2757 PETITION

Of Kevin W. Fitzgerald, William R. Keating, Kevin G. Honan, Gloria L. Fox, Shirley Owens-Hicks and Byron Rushing for legislation to regulate the number of subsidized units in certain residential property.

01/08/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
01/08/87	S.	Senate concurred
	P.	Hearing date Mar 9 am
04/29/87	H.	Reported by committee
06/18/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 981
06/22/87	H.	Read second and ordered to a third reading -HJ 994
10/13/87	H.	Read third
10/13/87	H.	Bills in the Third REading new draft substituted, see H6103 -HJ 1433

H. 6103 Bill regulating the number of subsidized units in certain residential property.

10/13/87	H.	Reported from the committee on HOUSE BILLS IN THE THIRD READING
10/13/87	H.	New draft
10/13/87	H.	Substituted for H2757
10/13/87	H.	Passed to be engrossed -HJ 1433
10/15/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 1277
11/09/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1403
11/10/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 1426
11/16/87	H.	Enacted -HJ 1581
11/16/87	S.	Enacted and laid before the Governor -SJ 1462
11/24/87	H.	Governor returned to the House with an amendment
11/25/87	H.	For message, see H6256
11/25/87	H.	Referred to the committee on HOUSE BILLS IN THE THIRD READING -HJ 1637
12/16/87	H.	Amendment adopted (in the form approved by committee) -HJ 1795
12/18/87	S.	Rules suspended
12/18/87	S.	Senate concurred in the House amendment -SJs 1672-1673
12/21/87	H.	Re-enacted -HJ 1822
12/21/87	S.	Re-enacted and again laid before the Governor -SJ 1699
12/24/87	G.	Signed by the Governor, Chapter 612 Acts

H 6103, amended

Chapter 612.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT REGULATING THE NUMBER OF SUBSIDIZED UNITS IN CERTAIN RESIDENTIAL PROPERTY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The fourth paragraph of section 43 of chapter 121B of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by inserting after the word "development", in line 65, the words:- ; provided, further, that there shall be no limits in any building or development containing less than one hundred units where the department determines that such units are necessary to provide affordable housing for persons and families of low income.

House of Representatives, December 21, 1987.

Passed to be re-enacted, George Keverian, Speaker.

In Senate, December 21, 1987.

Passed to be re-enacted, William M. Bulger, President.

December 24, 1987.

Approved,

Governor.

REPRESENTATIVE AUGUSTO F. GRACE

H. 5939 PETITION

Of Timothy F. O'Leary, Robert H. Marsh and Augusto F. Grace for an investigation by a special commission (including members of the General Court) relative to the implementation of certain low and moderate income housing laws.

07/23/87	H.	Referred to the committee on JOINT RULES, reported, rules suspended and referred to the committee on HOUSING AND URBAN DEVELOPMENT -HJ 1218
07/27/87	S.	Senate concurred -SJ 1098
	P.	Hearing date Sep 15 am
10/06/87	H.	Accompanied a new draft, see H6081

H. 6081 Resolve providing for an investigation and study by a special commission relative to the implementation of low and moderate income housing provisions.

10/06/87	H.	Reported from the committee on HOUSING AND URBAN DEVELOPMENT
10/06/87	H.	New draft of H5939
10/06/87	H.	Resolve reported favorably by committee and referred to the committee on JOINT RULES
10/06/87	H.	Committee recommended ought to pass and referred to the committee on HOUSE WAYS AND MEANS -HJ 1404
11/02/87	H.	Committee recommended ought to pass and placed in the Orders of the Day for the next session -HJ 1524
11/04/87	H.	Read second
11/04/87	H.	Amendment adopted
11/04/87	H.	Ordered to a third reading -HJ 1536
11/10/87	H.	Read third and passed to be engrossed -HJ 1563
11/16/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1451
12/01/87	S.	Committee recommended ought to pass with an amendment
12/01/87	S.	Referred to the committee on SENATE STEERING AND POLICY
12/01/87	S	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means amendment pending -SJ 1540
12/02/87	S.	Read second, amended (as recommended by the committee on Ways and Means) and ordered to a third reading -SJs 1554-1555
12/07/87	S.	Read third, amended and passed to be engrossed -SJ 1572
12/08/87	H.	Rules suspended
12/08/87	H.	House concurred in the Senate amendment -HJ 1700
12/09/87	H.	Resolve passed -HJ 1718
12/22/87	S.	Resolve passed and laid before the Governor -SJ 1707
12/30/87	G.	Signed by the Governor, Chapter 4 Resolves

Chapter 4.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE IMPLEMENTATION OF LOW AND MODERATE INCOME HOUSING PROVISIONS.

RESOLVED, That a special commission, to consist of three members of the senate, one of whom shall be a member of the minority party, four members of the house of representatives, one of whom shall be a member of the minority party, the secretary of communities and development or his designee, the director of the Massachusetts Housing Finance Agency or his designee, and six persons to be appointed by the governor, one of whom shall be a representative of the Massachusetts Municipal Association, one of whom shall be a representative from a nonprofit organization, one of whom shall be a representative from a community development corporation, and three of whom shall be persons knowledgeable in the area of housing construction and development concerns in cities and towns of the commonwealth, with a preference given to persons holding public office in a city or town, is hereby established for the purpose of making an investigation and study relative to the implementation of low and moderate income housing provisions. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives and the clerk of the senate on or before April twenty-seventh, nineteen hundred and eighty-eight.

House of Representatives, December 9, 1987.

Passed, George Fingold, Speaker.

In Senate, December 22, 1987.

Passed, William M. Bulger, President.

December 30, 1987.

Approved, Michael S. Dukakis Governor.

REPRESENTATIVE SAUNDRA GRAHAM

H. 4108 PETITION

Of Rita Sabina Mandosa, Saundra Graham, other members of the General Court and another relative to clarifying certain issues of jurisdiction in child support cases.

01/12/87	H.	Referred to the committee on THE JUDICIARY
01/12/87	S.	Senate concurred
	P.	Hearing date Mar 9 pm
04/02/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 261
04/07/87	H.	Read second and ordered to a third reading -HJ 296
04/27/87	H.	Read third (title changed) and passed to be engrossed -HJ 413
04/28/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 323
05/11/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 469
05/13/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed
05/13/87	S.	Unanimous consent motion objected to
05/13/87	S.	Motion to reconsider pending and placed in the Orders of the Day for the next session -SJs 508-509
05/18/87	S.	Pending motion to reconsider negatived -SJ 538
05/19/87	H.	Enacted -HJ 745
05/20/87	S.	Enacted and laid before the Governor -SJ 556
06/01/87	G.	Signed by the Governor, Chapter 100 Acts

Chapter 100.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING JURISDICTION IN CERTAIN CHILD SUPPORT CASES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 3 of chapter 223A of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by adding the following clause:-

(h) having been subject to the exercise of personal jurisdiction of a court of the commonwealth which has resulted in an order for child support or maintenance, notwithstanding the subsequent departure of the defendant from the commonwealth, where the plaintiff and the child continue to reside within the commonwealth and where such plaintiff is pursuing an action involving modifications of such order or the enforcement thereof.

House of Representatives, May 19, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, May 20, 1987.

Passed to be enacted, William M. Bulger, President.

June 1, 1987.

Approved,

Governor.

REPRESENTATIVE SAUNDRA GRAHAM
(CONTINUE PAGE TWO)

H. 1268 PETITION

Of Saundra Graham and other members of the General Court for legislation to increase the amount of corporation shares the Commonwealth may own of the Massachusetts Development Finance Corporation.

01/22/87	H.	Referred to the committee on JOINT RULES, reported, rules suspended and referred to the committee on HOUSING AND URBAN DEVELOPMENT -HJ 16
01/26/87	S.	Senate concurred -SJ 23
	P.	Hearing date Feb 18 am
02/26/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 66
	P.	Hearing date Apr 30 pm
04/30/87	H.	Committee recommended ought to pass with an amendment
04/30/87	H.	Placed in the Orders of the Day for the next session with the amendment pending -HJ 473
05/04/87	H.	Read second
05/04/87	H.	Amendments recommended by committee adopted
05/04/87	H.	Ordered to a third reading -HJ 516
05/11/87	H.	Read third (title changed) and passed to be engrossed -HJs 596-597
05/13/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 501
05/28/87	S.	Committee recommended ought to pass with an amendment
05/28/87	S.	Referred to the committee on SENATE STEERING AND POLICY
05/28/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means amendment pending -SJs 598-599
06/01/87	S.	Read second
06/01/87	S.	Amendments recommended by committee adopted
06/01/87	S.	Motion to lay on the table pending and postponed to the next session -SJs 635-636
06/02/87	S.	Postponed to June 8 -SJ 651
06/08/87	S.	Pending motion to lay on the table negatived
06/08/87	S.	Ordered to a third reading -SJ 676
07/15/87	S.	Read third
07/15/87	S.	Amendment pending
07/15/87	S.	Motion to lay on the table pending and postponed to the next session -SJ 1016
07/16/87	S.	New legislative day
07/16/87	S.	Pending motion to lay on the table negatived
07/16/87	S.	Pending amendment adopted
07/16/87	S.	Motion to reconsider adoption of the amendment pending
07/16/87	S.	Motion to lay on the table pending
07/16/87	S.	Point of order NOT well taken
07/16/87	S.	Motion for unanimous consent to withdraw the pending motion to lay on the table objected to
07/16/87	S.	Postponed to the next session -SJs 1066-1067

REPRESENTATIVE SAUNDRA GRAHAM
(CONTINUE PAGE THREE)

07/16/87	S.	New legislative day
07/16/87	S.	Point of order NOT well taken
07/16/87	S.	Pending motion to lay on the table negatived
07/16/87	S.	Amendment adopted
07/16/87	S.	Passed to be engrossed -SJs 1076-1077
07/16/87	H.	Rules suspended
07/16/87	H.	House concurred in the Senate amendments -HJ 1204
07/16/87	H.	Enacted - YEAS 127, NAYS 0 [See Yea and Nay in Supplement, No. 379] -HJ 1211
07/16/87	S.	Motion to lay aside negatived
07/16/87	S.	Motion to lay on the table pending and postponed to the next session -SJ 1084
07/16/87	S.	New legislative day
07/16/87	S.	Pending motion to lay on the table negatived
07/16/87	S.	Enacted -YEAS 21, NAYS 0
07/16/87	S.	Laid before the Governor -SJs 1084-1085
07/23/87	G.	Signed by the Governor, Chapter 324 Acts

Chapter 324.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING THE PARTICIPATION OF THE COMMONWEALTH IN THE FINANCING OF THE MASSACHUSETTS DEVELOPMENT FINANCE CORPORATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of chapter 40F of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by striking out the definition of "Capital participation investments" and inserting in place thereof the following definition:-

"Capital participation instruments", purchase of stock, both common and preferred, convertible securities, warrants, subscriptions, options to acquire, capital loans, and working capital or inventory loans, royalties, and any other lawful derivations of the foregoing.

SECTION 1A. Said section 1 of said chapter 40F is hereby further amended by striking out the definition of "Costs of a project" and inserting in place thereof the following definition:-

"Costs of a project", any and all costs associated with the design, planning, and implementation of a project undertaken in a target area which can reasonably be recovered in the financing of the project. Such costs may include but are not limited to the costs of planning, design, and other administrative costs, options to buy land, feasibility or other studies, seed money, construction, working capital, and other costs determined by the directors of the corporation to be necessary to the purposes of this chapter; provided, however, that administrative costs shall not exceed ten per cent of the total costs of any project.

SECTION 2. Section 3 of said chapter 40F, as so appearing, is hereby amended by striking out paragraph (i) and inserting in place thereof the following paragraph:-

(i) Borrow money by the issuance of debt obligations whether tax exempt or taxable and secure such obligations by the pledge of its revenues or of the revenues, mortgages, and notes of others, provided that the corporation shall

not issue debt obligations the principal amount of which, when added to the principal amount of the debt obligations theretofore issued by the corporation, excluding debt obligations previously refunded or being or to be refunded thereby, shall exceed thirty million dollars.

SECTION 3. The second paragraph of section 4 of said chapter 40F, as so appearing, is hereby amended by striking out the second sentence.

SECTION 4. Said section 4 of said chapter 40F, as so appearing, is hereby further amended by striking out the third paragraph.

SECTION 5. Said chapter 40F is hereby further amended by inserting after section 4 the following section:-

Section 4A. The state treasurer acting on behalf of the commonwealth shall enter into an agreement with the corporation providing that the commonwealth shall purchase shares of the corporation in the amount of two million dollars per fiscal year of the commonwealth for a period of two such years; in return for said investment the commonwealth shall receive two hundred thousand shares, designated Class A shares, of stock in the corporation per year upon each purchase for a total of eight hundred thousand shares by the end of the fourth year. The state treasurer acting on behalf of the commonwealth shall enter into an agreement with the corporation providing that the commonwealth shall purchase shares of the corporation in the amount of five hundred thousand dollars per fiscal year of the commonwealth for a period of two such years; in return for said investment the commonwealth shall receive one hundred thousand shares, designated Class B shares, of stock in the corporation per year upon each such purchase for a total of four hundred thousand Class B shares by the end of the fourth year. These shares, together with the shares purchased by the state treasurer pursuant to section four, shall constitute the entire issues of stock of the corporation.

Such stock purchase agreements shall provide for purchase of stock at such time during each such year and upon such terms and under such conditions as the corporation may stipulate. The corporation may pledge such agreements and the rights of the corporation to receive amounts thereunder as security for the payment of debt obligations issued by the corporation. Each such agreement shall constitute a general obligation of the commonwealth for which the faith and credit of the commonwealth shall be pledged for the benefit of the corporation and of the holders of any debt obligations of the corporation which may be secured by a pledge of such agreement or of amounts to be received by the corporation under such agreement.

Amounts received by the corporation under the stock purchase agreement relating to Class A shares of stock may be used (i) to purchase capital participation instruments from community development corporations in return for an investment in specific projects as described in section four, (ii) as security for the payment of debt obligations issued by the corporation to finance the purchase of capital participation instruments as aforesaid, (iii) to pay the normal business expenses of the corporation, or (iv) for any combination of the foregoing.

Amounts received by the corporation under the stock purchase agreement relating to Class B shares of stock may be used (i) to purchase capital participation instruments from community development corporations in return for an investment in a specific project related to the full or partial guaranty of performance bonds for minority-owned or women-owned contractors under the conditions described in section four, (ii) as security for the payment of debt obligations issued by the corporation to finance the purchase of capital participation instruments as aforesaid, (iii) to pay the normal business expenses of the corporation, or (iv) for any combination of the foregoing.

SECTION 6. Said chapter forty F is hereby repealed.

SECTION 7. On or before June thirtieth, nineteen hundred and ninety-four, the board of directors of the Massachusetts Community Development Finance Corporation, at the request of the state treasurer, shall assist the state treasurer in implementing a plan for the sale of the shares of common stock, including Class A shares and Class B shares, which are held by the commonwealth pursuant to chapter forty F of the General Laws.

SECTION 7A. The state auditor shall annually conduct a field audit of the Massachusetts Development Finance Corporation.

SECTION 7B. The Massachusetts Finance Development Corporation shall notify the senator and representative representing the district in which a community development corporation is located whenever such community development corporation applies for funds from the said Massachusetts Development Finance Corporation.

SECTION 8. Section six of this act shall take effect on July first, nineteen hundred and ninety-four.

H 1268

House of Representatives, July 16, 1987.

Passed to be enacted, George Kinnear, Speaker.

In Senate, July 16, 1987.

Passed to be enacted, William H. Bulger, President.

July 23, 1987.

Approved,

Michael Dukakis Governor.

H 1268

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS
GOVERNOR

July 23, 1987

The Honorable Michael Joseph Connolly
Secretary of the Commonwealth
State House, Room 340
Boston, MA 02133

Dear Secretary Connolly:

I, Michael S. Dukakis, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution, the Referendum II, Emergency Measures, hereby declare, in my opinion, the immediate preservation of the public peace, health, safety or convenience requires that the attached Act, Chapter 324 of the Acts of 1987, entitled "An Act Further Regulating the Participation of the Commonwealth in the Financing of the Massachusetts Development Finance Corporation", the enactment of which received my approval on July 23, 1987, should take effect forthwith.

I further declare that, in my opinion, it is in the public interest that this Act take effect immediately in order to provide immediate assistance to the Massachusetts Development Finance Corporation (MDFC) so that the MDFC may continue to encourage economic growth in the Commonwealth.

Sincerely,

Michael S. Dukakis
Governor

MSD:tkt
Attachment

OFFICE OF THE SECRETARY, Boston, July 23, 1987.

I, Michael Joseph Connolly, Secretary of State, hereby certify that the accompanying statement was filed in this Office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty-two minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said Chapter takes effect forthwith, being chapter three hundred and twenty-four of the Acts of nineteen hundred and eighty-seven.

Michael Joseph Connolly

MICHAEL JOSEPH CONNOLLY,

REPRESENTATIVE SAUNDRA GRAHAM
(CONTINUE PAGE SIX)

H. 2027 PETITION

Of Patricia G. Fiero, Marjorie A. Clapprood, Saundra Graham, Carmen D. Buell, Albert Herèn and Paul Kollios for legislation to prevent further homelessness.

01/08/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
01/08/87	S.	Senate concurred
	P.	Hearing date Apr 9 AM
04/23/87	S.	Accompanied S605 -SJ 292

S. 605 Of Richard A. Kraus, Salvatore R. Albano and Peter C. Webber for legislation relative to the adjustment of shelter costs for household size.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
01/07/87	H.	House concurred
	P.	Hearing date Apr 9 AM
04/23/87	S.	Accompanied by H2027
04/23/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 292
11/12/87	S.	Committee recommended ought to pass with an amendment striking out the title and inserting in place thereof a new title
11/12/87	S.	Referred to the committee on SENATE STEERING AND POLICY
11/12/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means amendment pending -SJ 1431
11/16/87	S.	Read second
11/16/87	S.	Pending Ways and Means amendment (striking out the title and inserting in place thereof a new title) rejected
11/16/87	S.	Ordered to a third reading
11/16/87	S.	Rules suspended
11/16/87	S.	Read third (title changed) and passed to be engrossed -SJs 1453-1454
11/17/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1589
12/16/87	H.	Committee recommended ought to pass and placed in the Orders of the Day for the next session -HJ 1782
12/17/87	H.	Read second and ordered to a third reading
12/17/87	H.	Rules suspend
12/17/87	H.	Read third and passed to be engrossed -HJ 1802
12/21/87	H.	Enacted -HJ 1822
12/21/87	S.	Enacted and laid before the Governor -SJ 1699
01/04/88	G.	Signed by the Governor, Chapter 651 Acts

S 605

Chapter 651.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING FOR UNIFORMITY IN GENERAL RELIEF GRANTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The first paragraph of section 1 of chapter 117 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by adding the following sentence:- The standard of assistance for all applicants and recipients who incur any shelter costs shall be the same, adjusted for household size.

House of Representatives, December 21, 1987.

Passed to be enacted, George Fiorentini, Speaker.

In Senate, December 21, 1987.

Passed to be enacted, William M. Bulger, President.

January 4, 1988

Approved,

Michael S. Dukakis Governor.

REPRESENTATIVE SAUNDRA GRAHAM
(CONTINUE PAGE SEVEN)

H. 4366		PETITION
		Of Saundra Graham and other members of the General Court for legislation to improve the quality of vocational education.
01/12/87	H.	Referred to the committee on EDUCATION
01/12/87	S.	Senate concurred
	P.	Hearing date Mar 26 am
04/29/87	S.	Reported by committee
05/11/87	S.	Accompanied a new draft, see S1826 -SJ 468
S. 1826		Bill to improve vocational education.
05/11/87	S.	Reported from the committee on EDUCATION
05/11/87	S.	New draft of S246, S260, S262, S267, S268, S271, S276, H717, H719, H726, H1506, H1659, H1791, H2148, H2304, H2306, H2503, H2721, H3129, H3139, H4194, H4195, H4366, H4370, H4371, H4372, H4374, H4375 and H4675
05/11/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 468
12/07/87	S.	Committee recommended ought to pass with an amendment, substituting therefore a new draft, see S2142
12/07/87	S.	Referred to the committee on SENATE STEERING AND POLICY -SJ 1568
12/09/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means new draft (S2142) pending
12/09/87	S.	Rules suspended
12/09/87	S.	Read second
12/09/87	S.	Postponed to December 14 -SJ 1602
12/14/87	S.	Amendments to the pending Ways and Means new draft (S2142) adopted
12/14/87	S.	New draft substituted, see S2142, amended -SJs 1625
S. 2142		Bill to improve vocational education.
12/07/87	S.	Reported from the committee on SENATE WAYS AND MEANS
12/07/87	S.	Recommended new draft for S1826
12/07/87	S.	Referred to the committee on SENATE STEERING AND POLCIY SJ 1568
12/09/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session
12/09/87	S.	Rules suspended
12/09/87	S.	Postponed to December 14 -SJ 1602
12/14/87	S.	Amendment adopted
12/14/87	S.	Amendment adopted
12/14/87	S.	Amendment adopted
12/14/87	S.	Amendment adopted

REPRESENTATIVE SAUNDRA GRAHAM
(CONTINUE PAGE EIGHT)

12/14/87	S.	Amendment adopted
12/14/87	S.	Amendment adopted
12/14/87	S.	Amendment adopted
12/14/87	S.	Substituted for S1826
12/14/87	S.	Ordered to a third reading
12/14/87	S.	Rules suspended
12/14/87	S.	Read third and passed to be engrossed -SJ 1623-1625
12/15/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1755
12/21/87	H.	Committee recommended ought to pass and placed in the Orders of the Day for the next session -HJ 1821
12/22/87	H.	Read second
12/22/87	H.	Amendment adopted
12/22/87	H.	Amendment rejected -YEAS 48, NAYS 96 (See Yea and Nay in Supplement, No. 586)
12/22/87	H.	Ordered to a third reading
12/22/87	H.	Motion to reconsider negatived -YEAS 26, NAYS 117 (See Yea and Nay in Supplement, No. 587)
12/22/87	H.	Rules suspended
12/22/87	H.	Read third and and passed to be engrossed
12/22/87	H.	Motion to reconsider negatived -HJ 1859
12/28/87	S.	Rules suspended
12/28/87	S.	Senate concurred in the House amendment -SJ 1729
12/29/87	H.	Enacted -YEAS 136, NAYS 0 (See Yea and Nay in Supplement, No. 595) -HJ 1893
12/29/87	S.	Enacted -YEAS 35, NAYS 0
12/29/87	S.	Laid before the Governor -SJs 1777-1778
01/05/88	G.	Governor returned with an amendment
01/05/88	S.	For message, see S2186
01/05/88	S.	Referred to the committee on SENATE BILLS IN THE THIRD READING
01/05/88	S.	Reported by committee
01/05/88	S.	Rules suspended
01/05/88	S.	Amendment adopted (in the form approved by the committee) -SJs 1843-1844
01/05/88	H.	Rules suspended
01/05/88	H.	House concurred in the Senate amendments
01/05/88	H.	Motion to reconsider negatived -HJ 1939
01/05/88	H.	Re-encated -YEAS 148, NAYS 0 (See Yea and Nay in Supplement, No. 635) -HJ 1955
01/05/88	S.	Re-enacted - YEAS 33, NAYS 0
01/06/88	S.	Again laid before the Governor -SJs 1868-1869
01/13/88	G.	Signed by the Governor, Chapter 731 Acts

S 2142, amended

Chapter 731

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT TO IMPROVE VOCATIONAL EDUCATION.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 74 of the General Laws is hereby amended by striking out sections 1 to 6, inclusive, as appearing in the 1986 Official Edition, and inserting in place thereof the following nine sections:-

Section 1. The following words, as used in this chapter, shall have the following meanings unless the context otherwise requires:

"Commissioner", the commissioner of education.

"Approved", the approval of specific vocational-technical programs by the commissioner of education, acting through the division of occupational education, following investigation and determining the appropriateness of programs as to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admissions of student, employment of students and expenditures.

"State board", the board of education.

"Forms of vocational-technical education", the classification of vocational-technical educational programs which lead employment or continuing preparation for employment associated with agriculture, allied health, automotive, construction, marketing, service occupations, industrial-manufacturing programs and technical programs.

"Agricultural programs", the preparation of students for occupations connected with agriculture, the care of domestic animals, forestry and other wage earning or productive work on farm land. The term agricultural supplies, horticulture and agricultural and natural resources.

"Allied health programs", the preparation of students for occupations connected with health, to include direct and indirect care of patients and other wage earning or productive work within the health care area and related services.

"Automotive programs", the preparation of mechanics and technicians for any type of engine-powered vehicle.

"Construction programs", the preparation of students for occupations in the areas of carpentry, plumbing, painting, electricity, heating, ventilation and air conditioning and other areas of construction.

"Marketing education programs", the development of competent workers engaged in marketing, sales and such administrative supporting functions as buying, receiving, storing, shipping, promoting, financing, market research, and management. These activities are found in such areas as retail and wholesale trade, banking, and finance, insurance, real estate, service trades, manufacturing, utilities and communications. Such phrase shall not include the following occupations: stenographer, secretary, typist nor industrial workers in transportation activities.

"Industrial-manufacturing programs", the development of workers for occupations involving the manufacturing or fabrication of products in either heavy or light industry.

"Technology programs", the preparation of students for occupations or further education in such areas as: electronics, drafting, computers, electromechanical.

"Service programs", the preparation of students in the occupational areas of hotel and lodging, cosmetology, child care.

"Part time class", towns, cities, regional and county school districts and independent schools may operate part-time and evening vocational-technical classes approved by the commissioner under the state board.

"Cooperative education", a program of vocational-technical education for persons who, through a cooperative arrangement between the school and employers, receive instruction, including required academic courses and related vocational-technical instruction, by the alternation of study in school with a job in any occupational field. Such instruction shall be planned and supervised by the school and the employer so that each contributes to the student's education and employability. Work periods and school attendance may be on alternate half-days, full days, weeks or other coordinated periods of time.

"Articulation", is the educational process whereby curricular interaction occurs across grade levels and links programs between educational levels.

Horizontal articulation provides the curricular process which serves to strengthen a student's mastery of interacting concepts and skills across all academic and educational levels.

S 2142, amended

Vertical articulation provides the curricular vehicle which allows a student to progress by competencies from a vocational-technical program at one educational level to the same program area at a higher educational level, for example, between secondary and postsecondary education.

Section 2. The commissioner, under the direction of the state board, shall investigate and promote vocational-technical schools, and initiate and superintend the establishment of schools for the aforesaid form of education and shall supervise and approve such schools as provided in sections one to thirty-seven, inclusive.

The commissioner, under the direction of the state board, shall approve or disapprove vocational-technical programs in accordance with regulations published by the state board; provided, however, that approval shall not be granted to a vocational-technical program that includes less than fifty per cent of school time devoted to vocational-technical study, except as provided in section thirteen.

Section 2A. The commissioner shall establish rules and regulations to promote the employment of vocational-technical students during their studies by the city or town in which said students attend school, or in the case of a regional or county agricultural school district, the cities and towns comprising said district. Students shall not be permitted to perform work on projects which are outside such city or town unless said projects have exceptional value as determined by the commissioner.

Section 3. Towns may, through school committees or boards of trustees elected for not more than five years, and known as local trustees for vocational-technical education, establish and maintain independent or vocational-technical schools.

Section 4. Independent vocational-technical schools may be established and maintained by districts composed of two or more towns, through boards to be known as district trustees for vocational-technical education, consisting either of the chairman and two other members of the school committees of each town, to be appointed by such committees, or of three residents of each, to be elected by the town.

Section 5. District trustees under the preceding section shall adopt, for one year or more, plans or organization, administration and support of such schools, which shall be binding on the towns made parties thereto, and shall not be altered or annulled except by two-thirds votes of such trustees, with the consent of the commissioner under the direction of the state board.

Section 5A. Independent vocational-technical schools may be established under sections fourteen and fifteen of chapter seventy-one, if the agreement for the establishment of the regional school district, either as originally adopted or as subsequently amended, so provides, and for that purpose the regional district school committee shall have the powers and perform the duties conferred or imposed by law upon local trustees for vocational-technical education, and may be known as a board of regional school district trustees for vocational-technical education.

Section 5B. Regional school districts or cities and towns which are not members of vocational-technical regional school districts, may through educational collaboratives formed under the provisions of section four E of chapter forty, conduct vocational-technical education programs approved under the provision of this chapter.

Section 6. Each school district, county agricultural school, collaborative or municipality operating an approved vocational-technical program shall, under a plan approved by the commissioner under the direction of the state board, appoint advisory committees composed of representatives of local business and industry related to the program, organized labor, parents and students, which shall consult with and advise the trustees and other school officials managing and supervising such schools.

SECTION 2. Said chapter 74, as so appearing, is hereby further amended by striking out sections 7A and 7B, as so appearing, and inserting in place thereof the following two sections:-

Section 7A. For the tuition in an approved vocational-technical program of any regional or county agricultural school district, city, town, independent school or collaborative of any pupil placed in such school by the department of social services, the commonwealth or the city of Boston, as the case may be, shall pay to said school the tuition fee established by the commissioner under the direction of the state board.

Section 7B. An apprentice, as defined in section eleven H of chapter twenty-three shall, upon the concurrence of the commissioner of labor and industries, be approved by the commissioner under the direction of the state board for related vocational-technical training in any city, town, regional district or independent school, regardless of residential qualification. Related classes for an approved apprenticeship program shall be conducted in a single school system, unless the commissioner, in agreement with the commis-

sioner of labor and industries, determines that it would be in the best interest of said program to conduct such classes in more than one such school system.

SECTION 2A. Section 8 of chapter 74 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

Tuition shall be paid in two equal installments in each school year of attendance, one in January and one in June, or on a pro-rated monthly basis if a nonresident student fails to apply for his first year of admission on or before April first of the preceding school year. The commissioner may direct that the resident community's tuition payment for said first year be paid in full in July of the fiscal year after the student completes his first year of nonresident attendance including penalties that commissioner may determine.

SECTION 3. Section 14B of said chapter 74, as appearing in the 1986 Official Edition, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:- In any city or town which accepts the provisions of this section, any income received in a fiscal year not exceeding, in the aggregate, fifteen thousand dollars derived from the purchase and sale of products produced in the culinary arts subject area of the home economics program, or any other vocational-technical program conducted in any public vocational-technical high school shall be deposited in a special fund by the school committee in any banking institution in the commonwealth. Expenditures may be made from said fund by the school committee for purposes needed for the culinary arts subject area or in the case of a fund established for any other program, such funds may be expended for the purposes of such program area without further appropriation, notwithstanding the provisions of section fifty-three of chapter forty-four; provided, however, that said special funds shall not be used to pay the salary of any employee, and in any fiscal year no more than five thousand dollars from said funds shall be used in the purchase of equipment.

SECTION 4. Said chapter 74 is hereby further amended by striking out section 17, as so appearing, and inserting in place thereof the following section:-

Section 17. Boards or officers having power to take land for school purposes in cities may take, by eminent domain under chapter seventy-nine, land therein not already appropriated to public use, or lease or purchase land either within or without the city limits, for the purpose of section fifteen. A

school committee may erect suitable building on land so acquired, and provide, on terms not involving loss to the city, for the use of plots of ground and for the temporary housing of pupils complying with its regulations and not having access to other land suitable for proper instruction.

SECTION 4A. Chapter 74 of the General Laws is hereby amended by striking out section 18, as so appearing, and inserting in place thereof the following section:-

Section 18. The state board shall establish basic competency-based vocational-technical teacher training standards which shall serve as the fundamental, pedagogical requirements for beginning vocational-technical instructors. The board shall further require that all persons seeking to meet the board's requirements shall have successfully passed performance and written tests in areas as determined by the board and shall have successfully completed an approved seminar on teaching skills and methods.

The commissioner under the direction of the state board shall encourage the establishment of a two year certificate program and a four year preservice program for the preparation of vocational-technical teachers. Said board shall promulgate regulations governing the administration of the vocational-technical education program and the establishment of criteria for the inclusion of the basic and two year programs.

SECTION 5. Said chapter 74 is hereby further amended by striking out sections 20 to 22, inclusive, as so appearing, and inserting in place thereof the following four sections:-

Section 20. The state treasurer shall be the custodian of federal funds allocated to the commonwealth for vocational-technical education. The funds so allocated from the federal government shall be expended with specific appropriation under the direction of the state board.

Section 21. Subject to section twenty, the funds received under the act of Congress may be paid out, on requisition of the state board, as reimbursement for expenses already incurred, to approved schools.

Section 21A. Schools which offer approved chapter seventy-four full time programs shall, subject to appropriation, receive state vocational-technical aid from this section and chapter seventy of the General Laws equal to no less than thirty-five per cent of their annual expenditure for the year two years previous. Such state vocational-technical aid from this section and excluding only the following: (a) capital costs covered by a bond issue,

(b) expenditures made from state, federal and private grants or charities, (c) transportation costs which shall be reimbursed separately, (d) school lunch and breakfast costs.

In the case of regional school districts, aid from this section shall be required to reduce assessment and tuition costs to cities and towns in the following fiscal year. The commissioner under direction of the state board may compute an adjusted payment of state vocational-technical aid for any regional or county district, city, town or independent school that undergoes reorganization and applies for adjusted aid under guidelines developed by the state board.

Section 22. The state board may use the funds received under the act of Congress mentioned in section twenty as supplementary to state aid for salaries of teachers of vocational-technical subjects in schools complying therewith. It may also use such funds (1), for salaries of teachers giving types of training selected by it as especially needing stimulus; or (2), for competency-base programs for the pedagogical preparation of teachers of vocations selected by it; or (3), to arrange with schools and colleges to give the training to teachers of vocations under its supervision; or (4), to enable local school authorities to conduct, under its supervision, inservice training of vocational-technical teachers; or (5), for travel as provided for under said act of Congress. Such payments shall be subject to conditions prescribed by said board.

SECTION 5A. Chapter 74 of the General Laws is hereby amended by striking out section 22D, as so appearing, and inserting in place thereof the following section:-

Section 22D. Said state board is hereby directed to cooperate with the veterans administration in carrying out the provisions of federal laws and regulations relating to the rehabilitation of disabled veterans; to establish and maintain classes or courses for training as it is deemed advisable and necessary for the education, training and rehabilitation of disabled veterans and other veterans; to establish and maintain, or to assist in establishing or maintaining, with the consent of the commissioner of administration and finance, and with the approval of the governor, training facilities within the various institutions and departments of the federal government and of the commonwealth or any political subdivision thereof, located within the commonwealth; to cooperate with the veterans administration in the selection of the

number of trainees to be placed in training, or otherwise to carry out the provisions of said federal laws and regulations.

SECTION 6. Said chapter 74 is hereby further amended by striking out section 24, as so appearing, and inserting in place thereof the following section:-

Section 24. Smith Agricultural School, established under chapter one hundred and fifty-one of the Special Acts of nineteen hundred and eighteen, shall be maintained by the city of Northampton as a state-aided approved vocational-technical school under and subject to sections one to twenty-two, inclusive; provided, however, that the superintendents of said school shall consist of the mayor and superintendent of schools of said city, ex officiis, and three other superintendents to be elected at its city election by ballot, as provided in the will of Oliver Smith, and that said superintendents shall have the powers of local trustees elected under section three. Upon the death or resignation of an elected superintendent of said school his successor shall be chosen by the city council and the remaining superintendents in joint convention, who shall serve until the next city election.

SECTION 6A. Chapter 74 of the General Laws is hereby amended by inserting after section 24A, as so appearing, the following section:-

Section 24B. The state board and the board of regents shall encourage the coordination of programs between public secondary vocational-technical school districts and public institutions of higher education. Said boards shall establish policies and procedures for the standardization of articulation agreements between the aforementioned institutions and that said boards shall meet annually to review the implementation of such policies and procedures.

SECTION 7. The department of education is hereby authorized and directed to expend a sum, not to exceed fifteen million dollars, for a vocational-technical equipment modernization grant program to assist cities, towns, and regional school districts, educational collaborative and independent vocational-technical schools in the purchase of equipment for use in programs in high occupational demand provided, however, that no grants shall be awarded pursuant to this authorization until after completion of the study required by section twelve. Said grants shall be awarded by the department to cities, towns, regional school districts, educational collaboratives and independent vocational-technical schools on the basis of a competitive evaluation of proposals for such grants submitted on behalf of the approved chapter seventy-four program

of the city, town, regional school district, educational collaborative or independent vocational-technical school. The department shall issue an invitation for proposals for such grants, which invitation shall include a description of the standards by which proposals are to be evaluated.

SECTION 8. The state board of education is hereby authorized to establish, subject to appropriation, the commonwealth vocational-technical learning and teaching institute. The institute shall provide inservice training to supervisory and instructional personnel in vocational-technical programs as determined by the board. The institute may also establish a program in conjunction with the board of regents to provide research and development, leadership development, including forums, workshops, seminars and conferences for the purpose of developing methods to improve vocational-technical education.

SECTION 9. There is hereby established a technology scholar advisory council consisting of nine members to be appointed by the governor equally from among persons representing public vocational-technical schools, higher education institutions with technology programs, and business and industry. Members of said council shall serve without compensation.

SECTION 10. There is hereby established the Technology Scholar Trust Fund for the purpose of providing grants to high school seniors enrolled in vocational-technical programs who are planning to attend an institution of higher education within the commonwealth in pursuit of further studies in a high demand technology program. Said Technology Scholar Trust Fund shall be credited funds contributed by any corporation, whether public or private; provided, however, that the commonwealth shall contribute twenty-five thousand dollars to said Fund for the purpose of awarding each qualified student as a technology scholar with a grant of up to one thousand dollars. Upon receipt, such funds shall be deposited in the state treasury and credited to said Fund and may be expended for the purpose of this section after consultation with the technology scholar advisory council established under section ten. The board of education shall nominate as technology scholars public vocational-technical high school students from each school district in consultation with the technology scholar advisory council.

SECTION 11. The department of education is hereby authorized and directed to conduct a study to develop a long range strategy plan for vocational-technical curriculum and program planning to prepare vocational-technical students for the changing demands in the workforce in the commonwealth. The study

shall include an analysis and review of the current vocational-technical programs offered in the commonwealth and shall determine the need, if any, for the establishment of post secondary vocational-technical programs in addition to those offered at the community college level.

SECTION 12. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by section seven and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such time and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, nineteen hundred and ninety-two. Notes and interest thereon issued under the authority of this section, notwithstanding any other provisions of this act, shall be general obligations of the commonwealth, and shall be payable from the Local Aid Fund.

SECTION 13. To meet the expenditures necessary in carrying out the provisions of section seven, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time, not exceeding in the aggregate, the sum of ten million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Vocational Education Equipment Loan Act of 1987, and shall be issued for such maximum term of years not exceeding five years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, however, that all such bonds shall be payable not later than June thirtieth, two thousand and two. Bonds and interest thereon issued under the authority of this section shall, notwithstanding any other provisions of this act, be payable from the Local Aid Fund.

SECTION 14. Item 7503-8841 in section 2B of chapter 723 of the acts of 1983 is hereby amended by adding to the word "equipment" at the end of the paragraph the following words:- for the new building and for the provision of furnishings and equipment to upgrade existing programs and, also, for the repair and renovation of existing buildings to improve utilization and services.

S 2142, amended

House of Representatives, January 5, 1988.

Passed to be re-enacted, George Keverian, Speaker.

In Senate, January 5, 1988.

Passed to be re-enacted, William M. Bulger, President.

January 13, 1988.

Approved,

Governor.

REPRESENTATIVE RAYMOND A. JORDAN, JR.

H. 4821 PETITION

Of Raymond A. Jordan, Jr., Shirley Owens-Hicks, Gloria L. Fox and Linda J. Melconian for legislation to authorize home video movie rental businesses to operate on Sundays.

01/12/87	H.	Referred to the committee on COMMERCE AND LABOR
01/12/87	S.	Senate concurred
	P.	Hearing date Mar 23 am
04/29/87	H.	Reported by committee
05/21/87	H.	Bill reported favorably by committee and placed in the Day for the next session -HJ SS
05/26/87	H.	Read second and ordered to a third reading -HJ 804
06/02/87	H.	Read third and passed to be engrossed -HJ 863
06/04/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 659
06/08/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 669
06/10/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 699
06/15/87	H.	Enacted -HJ 952
06/16/87	S.	Enacted and laid before the Governor -SJ 762
06/22/87	G.	Signed by the Governor, Chapter 162 Acts

H 4821

Chapter 162.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PERMITTING HOME VIDEO RENTAL BUSINESS TO OPERATE ON SUNDAY.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 6 of chapter 136 of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by adding the following clause:-

(51) The operation of a home video movie rental business.

House of Representatives, June 15, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, June 16, 1987.

Passed to be enacted, William M. Bulger, President.

June 22, 1987.

Approved,

Michael Dukakis Governor.

REPRESENTATIVE RAYMOND A. JORDAN, JR.
(CONTINUE PAGE TWO)

H. 4290		PETITION
		Of Paul E. Caron, Thomas S. Cahir and Raymond A. Jordan, Jr., relative to the appointment of certain officers of the courts of the Commonwealth.
01/12/87	H.	Referred to the committee on PUBLIC SERVICE
01/12/87	S.	Senate concurred
	P.	Hearing date Mar 16 am
04/29/87	H.	Accompanied a new draft, see H5388
H. 3030		Of Raymond A. Jordan, Jr., Gloria L. Fox, Saundra Graham, Robert L. Howarth and Linda J. Melconian relative to the appointment of certain officers of the courts of the Commonwealth.
01/08/87	H.	Referred to the committee on PUBLIC SERVICE
01/08/87	S.	Senate concurred
	P.	Hearing date Mar 16 am
04/29/87	H.	Accompanied a new draft, see H5388
H. 5388		Bill relative to the appointment of certain court officers of the Commonwealth.
04/29/87	H.	Reported from the committee on PUBLIC SERVICE
04/29/87	H.	New draft of H1883, H3030, H3364, H4288 and H4290
04/29/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 458
11/09/87	H.	Committee recommended ought to pass with an amendment, substituting therefore a new draft, see H6207
11/09/87	H.	Placed in the Orders of the Day for the next session with the amendment pending -HJ 1548
11/10/87	H.	Read second
11/10/87	H.	Substituted by H6207 -HJ 1567
H. 6207		Bill relative to the appointment of certain court officers of the courts of the Commonwealth.
11/09/87	H.	Reported from the committee on HOUSE WAYS AND MEANS
11/09/87	H.	Recommended new draft for H5388 -HJ 1548
11/10/87	H.	Substituted for H5388
11/10/87	H.	Ordered to a third reading -HJ 1567
11/23/87	H.	Read third
11/23/87	H.	Amendment adopted
11/23/87	H.	Passed to be engrossed -HJ 1624
11/24/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1506
12/16/87	S.	Committee recommended ought to pass and referred to the SENATE STEERING AND POLICY

REPRESENTATIVE RAYMOND A. JORDAN, JR.,
(CONTINUE PAGE THREE)

12/16/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1642
12/17/87	S.	Read second, ordered to a third reading, rules suspended, read third and pass to be engrossed -SJ 1656
12/21/87	H.	Enacted -HJ 1823
12/21/87	S.	Enacted and laid before the Governor -SJ 1699
01/04/88	G.	Signed by the Governor, Chapter 649 Acts

Chapter 649.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO THE APPOINTMENT OF CERTAIN COURT OFFICERS OF THE COURTS OF THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 221 of the General Laws is hereby amended by striking out section 70, as appearing in the 1986 Official Edition, and inserting in place thereof the following section:-

Section 70. Subject to appropriation, the chief administrative justice may appoint for attendance upon the several sessions of the trial court such officers as he deems necessary for the efficient operation of said court.

SECTION 2. As of the effective date of this act, any per diem court officer, so-called, scheduled to work at least one thousand nine hundred and fifty hours in the fiscal year ending June thirtieth, nineteen hundred and eighty-eight shall be deemed to have been appointed as of said effective date under the provisions of section seventy of chapter two hundred and twenty-one of the General Laws and shall be deemed to have been permanently appointed under said section seventy upon the completion of a six-month probationary period. Any person hired subsequent to said effective date but prior to the date of passage of this act on a full-time basis, as determined by the chief administrative justice of the trial court, as a per diem court officer shall be deemed to have been appointed under said section seventy of said chapter two hundred and twenty-one, as so amended, as of the date of such hiring, and shall be deemed to have been permanently appointed under said section upon the completion of a six-month probationary period. For the purposes of determining the seniority of such officers with regard to promotion, demotion, transfer, assignment, reduction in force, recall, or removal, and for the purposes of determining the step-in-range in which such officers are to be placed in the job group to which they are allocated in the job classification and pay plan of the trial court, such officers shall be deemed to have been appointed as of the effective date of this act; provided, however, that in determining the

relative seniority of two or more per diem court officers appointed pursuant to this act, seniority shall be determined from the earliest date on which such officers first began continuous service to the effective date of this act, provided that "continuous service" shall mean service as a per diem court officer of a least twelve hundred hours actually worked per fiscal year. All other matters related to the employment status and rights of such officers shall be determined by the chief administrative justice of the trial court.

SECTION 3. The provisions of section one shall not impair the employment status or rights in effect pursuant to section seventy of chapter two hundred and twenty-one of the General Laws or any other general or special law or rule or regulation prior to the effective date of this act for any officer serving pursuant to said section seventy prior to said effective date.

SECTION 4. This act shall take effect as of July first, nineteen hundred and eighty-seven.

House of Representatives, December 21, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, December 21, 1987.

Passed to be enacted, William M. Bulger, President.

January 4, 1988

Approved,

Michael S. Dukakis Governor.

REPRESENTATIVE SHIRLEY OWENS-HICKS

H. 6384 PETITION

Of Shirley Owens-Hicks, Paul Kollios, Carmen D. Buell and Michael J. Barrett relative to reviving and continuing and increasing the membership of the special commission established to make an investigation and study relative to the availability of workers in long term care services for the elderly.

12/17/87	H.	Referred to the committee on JOINT RULES -HJ 1799
12/21/87	H.	Reported, rules suspended and referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS -HJ 1821
12/22/87	S.	Senate concurred -SJ 1706
12/28/87	H.	Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 1873
12/30/87	H.	Committee recommended ought to pass
23/30/87	H.	Rules suspended
12/30/87	H.	Read second and ordered to a third reading -HJ 1899
01/05/88	H.	Read third
01/05/88	H.	Amendment adopted
01/05/88	H.	Passed to be engrossed -HJ 1931
01/05/88	S.	Read; and referred to the committee on SENATE STEERING AND POLICY
01/05/88	S.	Committee reported that the matter be placed in the Orders of the Day for the next session
01/05/88	S.	Rules suspended
01/05/88	S.	Read second, ordered to a third reading, read third, Bills in the Third Reading discharged and passed to be engrossed -SJ 1858
01/05/88	H.	Resolve passed -HJ 1954
01/05/88	S.	Resolved passed
01/06/88	S.	Laid before the Governor -SJ 1865
01/12/88	G.	Signed by the Governor, Chapter 6 Resolves

H 6384

Chapter 6

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

RESOLVE REVIVING AND CONTINUING AND INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE AVAILABILITY OF WORKERS IN LONG TERM CARE SERVICES FOR THE ELDERLY.

RESOLVED, That the special commission, established by section one hundred and three of chapter one hundred and ninety-nine of the acts of nineteen hundred and eighty-seven, is hereby revived and continued to the last Wednesday of December, nineteen hundred and eighty-eight, and that the membership of the special commission is hereby increased by one member of the senate, three members of the house of representatives, and three persons to be appointed by the governor and one of whom shall be a representative from the Metropolitan Boston Chapter of the National Caucus and Center on Black Aged, to be selected from a list of recommendations submitted by that organization.

House of Representatives, January 5, 1988.

Passed, George Fennain, Speaker.

In Senate, January 5, 1988.

Passed, William M. Bulger, President.

January 12, 1988.

Approved,

Governor.

REPRESENTATIVE BYRON RUSHING

H. 4913 PETITION

Of John A. Businger, Byron Rushing, John C. Bartley, Kevin G. Honan, Eleanor Myerson, Geoffrey C. Beckwith and Joseph K. Mackey relative to official practices contrary to the election laws.

01/12/87	H.	Referred to the committee on ELECTION LAWS
01/12/87	S.	Senate concurred
	P.	Hearing date Mar 30 am
04/07/87	H.	Bill reported favorably by committee as changed and placed in the Orders of the Day for the next session -HJ 288
04/08/87	H.	Read second and ordered to a third reading -HJ 312
05/05/87	H.	Read third and passed to be engrossed -HJ 542
05/06/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 439
06/01/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 616
06/02/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 644
06/03/87	H.	Enacted -HJ 875
06/04/87	S.	Enacted and laid before the Governor -SJ 665
06/16/87	G.	Signed by the Governor, Chapter 146 Acts

H 4913

Chapter 146.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO OFFICIAL PRACTICES CONTRARY TO THE ELECTION LAWS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 56 of the General Laws is hereby amended by adding the following section:-

Section 60. Whenever the state secretary determines, after consulting with the local official involved, that a pattern of conduct, or a standard, practice, or procedure of a city or town clerk or board of registrars of voters is contrary to chapters fifty to fifty-four, inclusive, or any other general or special law concerning administration of elections, he may order such local official to comply with law. The attorney general may enforce the order by civil action. The state secretary may adopt procedural regulations governing administrative proceedings under this section. The remedy provided by this section shall not in any way limit the availability of judicial remedies to any person, official, commission or board.

House of Representatives, June 3, 1987.

Passed to be enacted, George Fierman, Speaker.

In Senate, June 4, 1987.

Passed to be enacted, William M. Bulger, President.

June 16, 1987.

Approved,

Michael S. Dukakis, Governor.

REPRESENTATIVE SAUNDRA GRAHAM
(CONTINUE PAGE FOUR)

H. 2211 PETITION

Of Sherwood Guernsey, James T. Brett, Marjorie A. Clapprood, Saundra Graham and Mary Jane Gibson relative to extending the limitation of tort liability to officers, directors, agents and employees of charitable organizations.

01/08/87	H.	Referred to the committee on THE JUDICIARY
01/08/87	S.	Senate concurred
	P.	Hearing date Apr 1 pm
05/13/87	H.	Reporting date extended to Wed., June 3, Pending concurrence -HJs 625-626
05/18/87	S.	Senate concurred -SJ 536
06/03/87	H.	Reporting date extended to Wed., Julyl, pending concurrence -HJ 869
06/04/87	S.	Senate concurred -SJ 663
06/23/87	H.	Reporting date extended to Tue., Sep. 1, pending concurrence -HJ 997
06/25/87	S.	Senate concurred -SJ 885
07/01/87	H.	Accompanied a new draft, see H5859

H. 5859 Bill extending the limitation of tort liability to officers and directors of charitable corporations.

07/01/87	H.	Reported from the committee on THE JUDICIARY
07/01/87	H.	New draft of H2211
07/01/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 1064
07/02/87	H.	Read second and ordered to a third reading -HJ 1084
07/07/87	H.	Read third and passed to be engrossed -HJ 1116
07/08/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 973
07/13/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 985
07/14/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 1006
07/15/87	H.	Enacted -HJ 1203
07/15/87	S.	Enacted and laid before the Governor -SJ 1044
07/23/87	G.	Signed by the Governor, Chapter 345 Acts

H 5859

Chapter 345.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT EXTENDING THE LIMITATION OF TORT LIABILITY TO OFFICERS AND DIRECTORS OF CHARITABLE CORPORATIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85V, inserted by chapter 265 of the acts of 1987, the following section:-

Section 85W. Except as provided otherwise in this section and in section eighty-five V, no person who serves without compensation, other than reimbursement for actual expenses, as an officer, director or trustee of any non-profit charitable organization including those corporations qualified under 26USC section 501 (c) (3) shall be liable for any civil damages as a result of any acts or omissions relating solely to the performance of his duties as an officer, director or trustee; provided, however, that the immunity conferred by this section shall not apply to any acts or omissions intentionally designed to harm or to any grossly negligent acts or omissions which result in harm to the person. Nothing in this section shall be construed as affecting or modifying any existing legal basis for determining the liability, or any defense thereto, of any person not covered by the immunity conferred by this section.

Nothing in this section shall be construed as affecting or modifying the liability of any person subject to this section for acts or omissions which are committed in the course of activities primarily commercial in nature even though carried on to obtain revenue to be used for charitable purposes, nor for any cause of action arising out of such person's operation of an automobile.

House of Representatives, July 15, 1987.

Passed to be enacted, George Keverian, Speaker.

H 5859

In Senate, July 15, 1987.

Passed to be enacted, William M. Bulger, President.

July 23, 1987.

Approved

Governor.

CHRONOLOGICAL REPORT
OF
LEGISLATION SUPPORTED BY MBLC
SIGNED INTO LAW

REGULATION OF CONDOMINIUM AND COOPERATIVE CONVERSION

H. 2128 PETITION

Of Kevin W. Fitzgerald and other members of the General Court (with the approval of the mayor and city council) that the city of Boston be authorized to regulate the conversion of rental housing units to condominium and cooperative units.

02/02/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
02/02/87	S.	Senate concurred -SJs 30-31
	P.	Hearing date Feb 25 am
02/26/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 66
03/02/87	H.	Read second and ordered to a third reading -HJ 74
03/10/87	H.	Read third
03/10/87	H.	Bills in the Third Reading discharged
03/10/87	H.	Passed to be engrossed -HJ 125
03/12/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 96
04/09/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 218
04/13/87	S.	Read second and ordered to a third reading -SJ 234
05/04/87	S.	Read third, Bills in the Third Reading discharged and passed to be engrossed
05/05/87	H.	Enacted -HJ 535
05/05/87	S.	Enacted and laid before the Governor -SJ 433
05/06/87	G.	Signed by the Governor, Chapter 45 Acts

H 2128

Chapter 45

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT GRANTING THE CITY OF BOSTON AUTHORITY TO REGULATE CONDOMINIUM AND COOPERATIVE CONVERSIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The General Court finds and declares that the serious public emergency declared in chapter seven hundred and ninety-seven of the acts of nineteen hundred and sixty-nine continues to exist in the city of Boston with respect to the housing of a substantial number of the citizens of said city, which emergency has resulted in a substantial shortage of safe, decent, and reasonably priced rental housing accommodations in the city of Boston, particularly for those who are elderly, handicapped, or who have low or moderate annual incomes; and that such emergency has been particularly exacerbated because of deterioration and demolition of existing housing and an insufficiency supply of new housing, and due, further, to the conversion of rental housing units to other uses or forms of ownership, particularly conversion to condominiums or cooperatives and the resulting increases in rent, displacement of tenants or loss of rental housing stock; and, that unless the demolition of existing housing and the conversion of rental housing accommodations to other forms of use or ownership are further regulated and controlled, such emergency and the inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the citizens of said city; and that such emergency should be met immediately and with due regard for the rights and responsibilities of said city of Boston; and, therefore, this act is declared to be in the public interest.

SECTION 2. Chapter 797 of the acts of 1969, as most recently amended by section 26 of chapter 843 of the acts of 1971, is hereby further amended by adding the following five paragraphs:-

(a) Notwithstanding the provisions of any general or special law to the contrary, including, without limitation, the provisions of chapter six hundred and sixty-five of the acts of nineteen hundred and fifty-six, and the provi-

sions of General Law chapters one hundred and fifty-six B, one hundred and fifty-seven, and one hundred and eighty-three A, the city of Boston may, by ordinance, further regulate and control the removal of housing accommodations from rental housing use, the reduction in the total number of units in a housing accommodation, or the change in form of ownership of housing accommodations used for rental housing. Such regulations and controls may include, without limitation the authority to:

(i) require that no person shall remove a housing accommodation from rental housing use without first obtaining a permit for that purpose from the board. Such permit may be subject to such terms and conditions not inconsistent with the purposes and provisions of this act;

(ii) require that no person shall convert any housing accommodation to a condominium or cooperative without first obtaining a permit for that purpose from the board; and

(iii) regulate evictions relating to the conversion of housing accommodations to condominium or cooperative subject to such terms and conditions not inconsistent with the purposes and provisions of this act.

(b) The city of Boston, in any ordinance adopted pursuant to this act, shall be empowered to promulgate any rules, regulations or orders, not inconsistent with the purposes and provisions of this act, for the enforcement of this act, for the granting or denying of removal permits or for the regulation of such evictions.

(c) Any hearings, regarding matters related to removal permits or evictions shall be conducted by the board in accordance with the provisions of section eleven of chapter thirty A of the General Laws except that requirements (7) and (8) of such section eleven shall not apply to such hearings.

(d) All decisions of the board may be appealed to the district court department of the trial court for the judicial district within which the housing accommodation is located or the housing court department of the trial court, city of Boston division, within thirty calendar days after the notice of such decision.

(e) The superior court department of the trial court and the housing court department of the trial court, city of Boston division, shall severally have jurisdiction to enforce the provisions of this act, any ordinance adopted hereunder and any rules and regulations promulgated pursuant to such ordinance, and may restrain or enjoin violations of such ordinance.

SECTION 3. Chapter 652 of the acts of 1960 is hereby amended by inserting after section 14A, as inserted by chapter 488 of the acts of 1967, the following section:-

Section 14B. The conversion of the form of ownership from rental property to condominium or cooperative ownership, of one or more buildings or parts of buildings in a land assembly and redevelopment plan area or in an urban renewal project undertaken in the city of Boston, pursuant to chapter one hundred and twenty-one B of the General Laws, by the Charles River Park "B" Company at Whittier Place, Boston, shall be permitted to stand without the rescission of the sale of individual condominium units, notwithstanding that such conversion may be deemed a modification of the land assembly and redevelopment plan or the urban renewal plan for such project and was thereby required to receive the approval of the Boston Redevelopment Authority, which approval was not sought; provided, however, that the provisions of this section shall exclusively be applicable to a certain class of residents and their specifically listed units known as Isaac Lyumkis, et al, unit purchasers at said Whittier Place, Boston. Said class of residents and specific units listed on a document known as "Whittier Place Unit Purchasers", Exhibit "I", attached hereto and incorporated by reference. Any such conversion of ownership shall, however, be subject to all applicable provisions of law.

SECTION 4. This act shall take effect upon its passage.

House of Representatives, May 5, 1987.

Passed to be enacted, George Lewiscain, Speaker.

In Senate, May 5, 1987.

Passed to be enacted, William M. Bulger, President.

May 6, 1987.

Approved,

at Ten o'clock and 30 minutes, A. M.

Governor.

REGULATION OF NUISANCES BY LOCAL HOUSING AUTHORITIES

H. 2185 PETITION

Of Salvatore F. DiMasi and other members of the General Court that provision be made for the regulation of nuisances by local housing authorities.

01/08/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
01/08/87	S.	Senate concurred
	P.	Hearing date Mar 9 am
03/23/87	H.	Accompanied H2545

H. 2545 Of Kevin W. Fitzgerald, Frederick E. Berry, John E. McDonough, Kevin G. Honan and Paul E. Caron relative to the regulation of nuisances by local housing authorities.

01/08/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
01/08/87	S.	Senate concurred
	P.	Hearing date Mar 9 am
03/23/87	H.	Accompanied by H2185
03/23/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 167
03/23/87	H.	Read second and ordered to a third reading -HJ 191
04/06/87	H.	Read third and passed to be engrossed -HJ 277
04/07/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 184
05/07/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 463
05/11/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 479
05/12/87	H.	Enacted -HJ 607
05/13/87	S.	Enacted and laid before the Governor -SJ 507
05/22/87	G.	Signed by the Governor, Chapter 78 Acts

H 2545

Chapter 78.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING FOR THE REGULATION OF NUISANCES BY LOCAL HOUSING AUTHORITIES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

The sixth paragraph of section 32 of chapter 121B of the General Laws, as appearing in the 1984 Official Edition, is hereby amended by inserting after the seventh sentence the following sentence:- Nothing in this paragraph shall be construed to prohibit a local housing authority from proceeding solely pursuant to the provisions of section nineteen of chapter one hundred and thirty-nine.

House of Representatives, May 12, 1987.

Passed to be enacted, George Lenemain, Speaker.

In Senate, May 13, 1987.

Passed to be enacted, William M Bulger, President.

May 22, 1987.

Approved,

Governor.

REGULATION REGARDING PENALITIES FOR NOT OBEYING TRAFFIC CONTROL SIGNS AND DEVICES

H. 4668 PETITION

01/12/87	H.	Referred to the committee on CRIMINAL JUSTICE
01/12/87	S.	Senate concurred
	P.	Hearing date Mar 11 pm
04/02/87	H.	Bill reported favorably by committee as changed and placed in the Orders of the Day for the next session -HJ 260
04/06/87	H.	Read second and ordered to a third reading -HJ 277
04/15/87	H.	Read third and passed to be engrossed -HJ 361
04/16/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 268
05/14/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 524
05/18/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 544
05/19/87	H.	ENACTED -HJ 745
05/20/87	S.	Enacted and laid before the Governor -SJ 556
05/29/87	G.	Signed by the Governor, Chapter 90 Acts

H 4668

Chapter 90.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT REGARDING PENALTIES FOR NOT OBEYING TRAFFIC CONTROL SIGNS AND DEVICES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 9 of chapter 89 of the General Laws, as most recently amended by section 6 of chapter 689 of the acts of 1986, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph:-

Any person violating the provisions of this section shall be punished by a fine not to exceed fifty dollars for each offense.

House of Representatives, May 19, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, May 20, 1987.

Passed to be enacted, [illegible], President.

May 29, 1987.

Approved

[illegible] Governor.

PENALTY INCREASE FOR THE MANUFACTURE OR SALE OF ILLEGAL WEAPONS

H. 3832 PETITION

Of Barbara Hildt and other members of the House for legislation to increase the penalties of the sale of illegal weapons.

01/12/87	H.	Referred to the committee on CRIMINAL JUSTICE
01/12/87	S.	Senate concurred
	P.	Hearing date Mar 11 pm
04/02/87	H.	Bill reported favorably by committee as changed and placed in the Orders of the Day for the next session -HJ 260
04/07/87	H.	REad second and ordered to a third reading -HJ 296
04/15/87	H.	Read third
04/15/87	H.	Bills in the Third Reading new draft substituted, see H5308 -HJ 367

H. 5308 Bill increasing the penalities for the manufacture or sale of illegal weapons.

04/15/87	H.	Reaported from the committee on HOUSE BILLS IN THE THRID READING
04/15/87	H.	New draft
04/15/87	H.	Substituted for H3832
04/15/87	H.	Passed to be engrossed -HJ 367-368
04/16/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 268
05/21/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 574
05/26/87	S.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 589
05/28/87	H.	Enacted -HJ 830
05/28/87	S.	Enacted and laid before the Governor -SJ 612
06/03/87	G.	Signed by the Governor, Chapter 123 Acts

H 5308

Chapter 123.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT INCREASING THE PENALTIES FOR THE MANUFACTURE OR SALE OF ILLEGAL WEAPONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Section 12 of chapter 269 of the General Laws, as most recently amended by section 2 of chapter 581 of the acts of 1986, is hereby further amended by striking out, in line 17, the words "two hundred" and inserting in place thereof the following words:- one thousand.

House of Representatives, May 28, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, May 28, 1987.

Passed to be enacted, William M. Bulger, President.

June 3, 1987.

Approved,

Michael S. Dukakis Governor.

INCREASE OF HOUSING FOR LOW AND MODERATE INCOME

H. 552 PETITION

Of Kevin W. Fitzgerald and other members of the House for legislation to provide affordable rental housing and opportunities for home ownership.

01/07/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
01/07/87	S.	Senate concurred
	P.	Hearing date Feb 11 am
02/12/87	H.	Accompanied a new draft, see H4001

H. 4001 Bill to increase the production of housing for families and persons of low and moderate income.

02/12/87	H.	Reported from the committee on HOUSING AND URBAN DEVELOPMENT
02/12/87	H.	New draft of S506, H37, H552 and H2129
02/12/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 50
03/02/87	H.	Committee recommended ought to pass with an amendment, substituting therefore a new draft, see H5020
03/02/87	H.	Placed in the Orders of the Day for the next session with the amendment pending -HJ 72
03/03/87	H.	Read second
03/03/87	H.	Postponed to Tue., March 10 -HJ 92
03/10/87	H.	Considered
03/10/87	H.	Substituted by H5020 -HJ 127

H. 5020 Bill to increase the production of housing for families and persons of low and moderate income.

03/02/87	H.	Reported from the committee on HOUSE WAYS AND MEANS
03/02/87	H.	Recommended new draft for H4001 -HJ 72
03/03/87	H.	Considered
03/03/87	H.	Postponed to Tue., March 10 - HJ 92
03/10/87	H.	Substituted for H4001
03/10/87	H.	Ordered to a third reading -HJ 127
03/16/87	H.	Read third
03/16/87	H.	Bills in the Third Reading discharded
03/16/87	H.	Recommitted to the committee on HOUSING AND URBAN DEVELOPMENT -HJ 148
03/30/87	H.	Committee recommended ought to pass with an amendment, substituting therefore a new draft, see H5218
03/30/87	H.	Placed in the Orders of the Day for the next session with the amendment pending -HJ 218
03/31/87	H.	Considered
03/31/87	H.	See action s posted on H5218
03/31/87	H.	Substituted by H5218, as amended -HJ 252

INCREASE OF HOUSING FOR LOW AND MODERATE INCOME
(CONTINUE PAGE TWO)

H. 5218		Bill to increase the production of housing for families and persons of low and moderate income.
03/30/87	H.	Reported from the committee on HOUSING AND URBAN DEVELOPMENT
03/30/87	H.	Recommended new draft of H5020 -HJ 218
03/31/87	H.	Considered
03/31/87	H.	Amendments adopted
03/31/87	H.	Amendment adopted
03/31/87	H.	Amendment adopted
03/31/87	H.	Amendment adopted
03/31/87	H.	Substituted, as amended, for H5020
03/31/87	H.	Passed to be engrossed -HJ 252
04/02/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 165
	P.	Hearing date May 4 am
05/07/87	S.	Committee recommended ought to pass with an amendment, inserting in place thereof the text of S1818
05/07/87	S.	Referred to the committee on SENATE STEERING AND POLICY -SJ 462
05/11/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means new text (S1818) pending -SJ 470
05/13/87	S.	Read second
05/13/87	S.	Pending Ways and Means new text (S1818) laid over (under Senate Rule 31) until the next session -SJ 518
05/18/87	S.	Motion to lay on the table pending and postponed to the next session -SJ 543
05/20/87	S.	Postponed to May 27 -SJ 567
06/01/87	S.	Pending motion to lay on the table negatived
06/01/87	S.	Amendment to the pending Ways and Means new text (S1818) adopted - YEAS 32, NAYS, 4
06/01/87	S.	Motion to reconsider negatived
06/01/87	S.	Amendment to the pending Ways and Means new text (S1818) adopted - YEAS 31, NAYS 5
06/01/87	S.	Amendment to the pending Ways and Means new text (S1818) adopted
06/01/87	S.	Amendment offered to pending Ways and Means new text (S1818) and subsequently withdrawn by unanimous consent
06/01/87	S.	Amendment to the pending Ways and Means new text (S1818) adopted
06/01/87	S.	Amendment to the pending Ways and Means new text (S1818) adopted
06/01/87	S.	Amended by striking out all after the enacting clause and inserting in place thereof the text of S1818, as amended (as recommended by committee)
06/01/87	S.	Ordered to a third reading -SJs 627-630
06/08/87	S.	Read third
06/08/87	S.	Postponed to the next session -SJ 673

INCREASE OF HOUSING FOR LOW AND MODERATE INCOME
(CONTINUE PAGE THREE)

06/10/87	S.	Further amendment adopted
06/10/87	S.	Further amendment adopted
06/10/87	S.	Further amendment adopted
06/10/87	S.	Further amendment adopted
06/10/87	S.	Amendment pending
06/10/87	S.	Motion to lay pending amendment aside on a point of order laid aside as unseasonable
06/10/87	S.	Pending amendment rejected - YEAS 7, NAYS 29
06/10/87	S.	Passed to be engrossed - YEAS 39, NAYS 0 -SJs 692-696
07/06/87	H.	Rules suspended
07/06/87	H.	House concurred in the Senate amendment with a further amendment, striking out all after the enacting clause and inserting in place thereof the text of H5874 -HJ 1089
07/07/87	S.	Rules suspended
07/07/87	S.	Senate concurred in the further House amendment with a still further amendment -SJs 969-970
07/07/87	H.	Rules suspended
07/07/87	H.	House concurred in the still further Senate amendments -HJ 1125
07/07/87	H.	Enacted - YEAS 141, NAYS 0 [See Yea and Nay in Supplement, No. 324] -HJ 1126
07/07/87	S.	Enacted - YEAS 28, NAYS 0
07,07,87	S.	Laid before the Governor -SJs 970-971
07/14/87	G.	Signed by the Governor, Chapter 226 Acts

H 5218

Chapter 226.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT TO INCREASE THE PRODUCTION OF HOUSING FOR FAMILIES AND PERSONS OF LOW AND MODERATE INCOME.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Declaration of Housing Emergency. It is hereby declared that there currently exists in many cities and towns in the Commonwealth a severe shortage of affordable, safe, and sanitary housing for persons and families of low and moderate income. It is hereby further declared that the federal government has greatly reduced the resources available for housing for low and moderate income persons and that the amount of monies currently available for such housing falls short of what is necessary to continue to produce and maintain such housing in quantities necessary to alleviate present shortages. It is further found and declared that the rapid escalation of housing costs in the Commonwealth has placed affordable rentals out of reach of low and moderate income families. It is therefore found and declared that the authorities and powers conferred under this chapter and the expenditure of public monies pursuant thereto constitutes a serving of a valid and important public purpose.

SECTION 2. To provide for a program of studies, preparation of plans, construction, reconstruction, renovation, alteration and improvement, including, but not limited to, development of additional state-assisted housing units, as well as modernization of existing state-assisted and certain federally-assisted housing units, and for the purchase of certain property, including, but not limited to, site acquisition and development, and for various programs increasing the housing stock available within the commonwealth, the sums set forth in section three for the several purposes and subject to the conditions specified under the provisions of this act, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 3.

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3722-8871	For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts with a housing authority for the development costs of a housing project or projects for families of low income pursuant to the provisions of section thirty-four of chapter one hundred and twenty-one B of the General Laws	$100,000,000
3722-8872	For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts with a housing authority for the development costs of a housing project or projects for elderly persons of low income pursuant to the provisions of section forty-one of chapter one hundred and twenty-one B of the General Laws; provided further, that in awarding a contract or contracts from the sum appropriated herein said department shall give first priority to projects which include one or more units of congregate housing	$66,600,000
3722-8873	For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts with a housing authority for the development costs of a housing project or projects for handicapped persons of low income or families of low income of which one or more persons is handicapped pursuant to the provisions of section forty-one A of chapter one hundred and twenty-one B of the General Laws; provided further, that from the sum appropriated herein, amounts may be ex-	

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	pended for transitional housing, including but not limited to transitional housing for the homeless, battered women's shelters and mutual housing	$22,000,000
3722-8874	For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs and for associated costs related thereto; provided, however, that said department may enter into a contract or contracts with a housing authority for projects undertaken pursuant to clause (j) of section twenty-six of chapter one hundred and twenty-one B of the General Laws; provided, however, that any project awarded funds for renovation, remodeling or reconstruction from the sums appropriated herein shall include in the plans for such project, plans for the removal, containment or encapsulation of asbestos found in units, common areas or infrastructure and also for deleading units and common areas, as necessary to remove the hazards posed by asbestos and lead paint; provided further, that from the sum appropriated herein not more than one million dollars may be expended for the construction of day care facilities or the rehabilitation or renovation of existing space for the purpose of day care facilities not to include associated services and that each day care facility project awarded funds appropriated under this paragraph shall specify in the plans for said project the cost of associated services and the manner in which such services will be provided; provided further, that such funds may be awarded for the purpose of adapting units for families and persons with disabilities; provided further, that the department shall give	

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	first priority in awarding said grants to fully fund the renovations, remodeling and reconstruction of the Lakeview Manor Housing Project in Weymouth	$95,000,000
3722-8875	For state financial assistance in the form of a grant by the commonwealth acting by and through the department of community affairs and for associated costs related thereto, provided however, that said department may enter into a contract or contracts with a housing authority for a continued demonstration program to undertake projects for renovation, remodeling, reconstruction, repair, landscaping, reasonable adaptations for persons or persons with families that have disabilities, and improvement of any federally assisted low-rent housing project, or part thereof, owned by a housing authority; provided further, that the department shall first have found (1) that such low-rent housing is seriously distressed and will continue to remain distressed unless the funds provided herein are available to the projects; (2) that any funds provided herein will be in addition to and not in lieu of any federal funds available for said housing and in addition to monies provided in Chapter 748 Section 6 of the Acts of 1985; (3) that significant effort has been made to obtain federal and local funding for the project and that the funds provided herein shall be used to leverage additional federal funding for the project, and (4) that any such project shall be undertaken in accordance with plans approved by the department; provided, however, that any project awarded funds for renovation, remodeling or reconstruction from the sums appropriated herein shall include in the plans	

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for said project, plans for the removal, containment, or encapsulation of asbestos found in units, common areas or infrastructure and plans for deleading units and common areas, as necessary to remove the hazards posed by asbestos and lead paint; provided further, that from the sum appropriated herein not more than one million dollars may be expended for the construction of day care facilities or the rehabilitation or renovation of existing space for the purpose of day care facilities, not to include associated services; provided further, that each day care facility project awarded funds appropriated under this paragraph shall specify in the plans for said project the cost of associated services and the manner in which such services will be provided to the day care facility; provided, however, that in awarding a contract or contracts from the sum appropriated herein, other than contracts for day care facilities, the department shall give first priority to projects to renovate, remodel, reconstruct, repair or otherwise improve housing units which are unoccupied, provided however, that a reasonable sum shall be expended on housing units which are in jeopardy of becoming unoccupied units due to the condition of the unit or major items or structural systems in the building within which the unit is contained, and that the department shall develop and report to the house and senate committees on ways and means a plan for allocating expenditures between unoccupied and occupied units; provided further, that prior to receipt by a housing authority of any funds, provided herein, the housing authority shall develop a management program which will

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	identify steps to be taken on a regular basis to maintain the project in an acceptable condition and which identifies a program to maintain building systems. Nothing herein shall preclude the department from entering into a contract or contracts with a housing authority for projects for modernization and rehabilitation of major items and structural systems within occupied units or the buildings in which such units are contained .	$50,000,000
3722-8876	For state financial assistance in the form of a loan or grant by the commonwealth acting by and through the department of community affairs and for associated costs related thereto; provided however, that said department may enter into a contract or contracts with a housing authority for projects pursuant to clause (k) of section twenty-six of chapter one hundred and twenty-one B of the General Laws, or for projects involving disposition of federally assisted low-rent housing owned by such housing authorities which meet the requirements of said clause (k) except for paragraph (5) of said clause; and provided further, that a housing authority shall have the power to enter into projects involving the disposition of federally assisted low rent housing owned by such housing authorities which meet the requirements of said clause (k) except for paragraph (5) of said clause; and, provided further, that notwithstanding the provisions of any other law, for projects involving disposition of federally-assisted low rent housing, where a developer is or has been chosen pursuant to applicable federal statutes and regulations, a loan or grant authorized herein or pursuant to section six of chapter five hundred and seventy-four of	

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	the acts of nineteen hundred and eighty-three may be utilized for any development costs necessary to undertake and complete such projects	$15,000,000
3722-8878	For state financial assistance in the form of a loan by the commonwealth acting by and through the department of community affairs, hereinafter the department; provided, however, that the department shall administer a pilot loan program to be designated as the Rental Housing Development Action Loan program for the purpose of providing loans to facilitate the creation and retention of rental housing for low and moderate income families; provided further, that said housing is to be located in areas which are blighted and open, decadent or substandard, as defined in section one of chapter one hundred and twenty-one B of the General Laws. The department may, subject to appropriation for such purpose, enter into contracts with housing authorities, local governments, and nonprofit agencies to provide loans for equity financing, projects subsidies, credit enhancements, interest write-downs, or any combination thereof, or to provide infrastructure or site acquisition necessary to support low-income rental housing projects, and limited equity cooperative housing; provided further, that in making loans pursuant to this paragraph the department shall give priority to the following: (a) projects in areas with the greatest need for housing for low-income families; (b) projects containing the highest percentage of housing units for low-income families, and (c) projects containing the maximum number of units with three or more bedrooms. No project shall be eligible for contract support under this paragraph unless	

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a minimum of twenty-five per cent of the units therein are reserved for families with incomes no higher at the time of occupancy than eighty per cent of the median income of all families residing within the affected area. Rentals, including heat and utilities, for families with incomes at or below eighty per cent of the area median and residing in said reserved units, shall not exceed thirty per cent of the income of the household. Each such contract for support shall provide for single or periodic disbursement of loan proceeds in such amounts as the department determines appropriate, for a period not to exceed fifteen years. No funds appropriated pursuant to this paragraph shall be used for any purpose other than the creation and retention of rental housing for low and moderate income families. Any loan made pursuant to this paragraph shall be secured by a lien on real or personal property, or both, satisfactorily to the department. Such loans shall be on terms and conditions as the department may require, including, but not limited to, such interest rate as may be set by the department. All funds loaned pursuant to the paragraph or any program established hereunder shall be repaid to the department or its designee, and all such funds shall thereafter be used by the department to effectuate the purpose of this paragraph. As a condition precedent to entering into any contracts financed pursuant to this paragraph, the department shall make a determination for each low-income rental housing project that (a) such contract for assistance is necessary to achieve a fiscally sound project and (b) alternative sources of funding have bee ex-

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	units so that such limitations shall become covenants running with the land and shall bind any successors and assigns.	
3722-8879	For state financial assistance in the form of a grant or loan by the commonwealth acting by and through the department of community affairs; provided, however, that said department shall administer a Housing Innovations Fund program for the purpose of facilitating the creation of alternative forms of housing for low income persons and families. Said forms of housing shall include but not be limited to: transitional housing for the homeless, single room occupancies, battered women's shelters, mutual housing and limited equity cooperatives; provided however, that from the sum appropriated herein not more than one million dollars may be expended for the construction, acquisition, purchase, renovation or leasing of property for use as veterans' congregate housing. Grants or loans shall be provided to housing authorities, community development corporations, or limited equity cooperative housing corporations established pursuant to chapter one hundred and fifty-seven B of the General Laws, provided, however, that said grantees may enter into development subcontracts to carry out the purpose of such grant or loan only with nonprofit organizations established pursuant to chapter one hundred and eighty of the General Laws	$30,000,000
3722-9871	For state financial assistance in the form of a revolving loan by the commonwealth acting by and through the department of community affairs; provided, however, that said department may enter into a contract or contracts for a program for the deleading of state and federally-assisted	

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hausted or are inappropriate; provided however, that the department may, pursuant to said determination, allocate funds appropriated for the state rental assistance program to eligible units within projects financed pursuant to this paragraph. In the event of the sale of a housing development financed in part by funds loaned pursuant to this paragraph, the unpaid balance of any loan, with interest, shall be payable immediately to the department, or its designee; provided further, that in any project receiving funds from the sum appropriated herein, the percentage of units reserved for families meeting the income guidelines specified herein, shall not be reduced to less than twenty-five per cent of the units in said project, at any time prior to the expiration of a period of fifteen years from the date on which the first such reserved unit is occupied or ten years following the date of the final loan disbursement made pursuant to this program, whichever is longer. The department is hereby authorized, subject to appropriation, to enter into contracts pursuant to this item with aggregate annual payment obligations not to exceed ten million dollars. The department shall establish such rules and regulations as are necessary to carry out the provisions of this item, including but not limited to criteria for selection and approval of projects, under such terms and conditions as the department deems appropriate, as well as provisions requiring for each project a written agreement to be recorded in such place and manner as appropriate for recording a mortgage and such agreement shall contain the above limitations governing the percentage of reserve

wealth; provided however, that all such bonds shall be payable not later than June thirtieth, two thousand and twelve. Bonds and interest thereon under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 5. To meet the expenditures necessary in carrying out the provisions of item 3722-8879, the state treasurer shall, upon the request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time, but not exceeding in the aggregate, the sum of thirty million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Housing Innovative Trust, Act of 1987, and shall be issued for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section three of Article LXII of the Amendments to the Constitution of the Commonwealth; provided however, that all such bonds shall be payable not later than June thirtieth, two thousand and twelve. Bonds and interest thereon under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 6. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments authorized by items 3722-8871, 3722-8872, 3722-8873, 3722-8874, 3722-8875, 3722-8876, 3722-8879, and 3722-9871 inclusive, and may issue and renew from time to time notes of the commonwealth therefore, bearing interest payable at such time and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with section three of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall not be later than June thirtieth, two thousand and two. Notes and interest thereon issued under the authority of this section shall, notwithstanding any other provisions of this act, be general obligations of the commonwealth.

SECTION 7. Section 20 of chapter 789 of the acts of 1981, as most recently amended by section 42 of chapter 723 of the acts of 1983, is hereby amended by adding the following after the second paragraph:- "Notwithstanding any general or special law to the contrary, with respect to any grants funded by the department of community affairs after January 1, 1987 pursuant to the au-

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	residential rental units in the rental assistance programs known as section 707 and section 8; provided further, that prior to the awarding of the funds provided herein said department shall promulgate regulations relative to the provisions of this paragraph including but not limited to the following requirements: (1) that the units deleaded contain two or more bedrooms, (2) that only families with children six years of age or under at the time of initial occupancy shall occupy the deleaded units while rents for said units are subsidized under the section 707 or section 8 programs, (3) that rentals for deleaded units shall remain subsidized under the section 8 or section 707 programs for a period of no less than five years following the completion of deleading, (4) that property owners must demonstrate a serious financial need for the funds provided herein in order to qualify for said funds in accordance with income criteria to be established by said department provided further that the department is hereby authorized, subject to appropriation, to enter into contracts pursuant to this section with aggregate annual obligations not to exceed one million dollars	$1,000,000

SECTION 4. To meet the expenditures necessary in carrying out the provisions of items 3722-8871 through 3722-8876 inclusive, and 3722-9871, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth to an amount to be specified by the governor from time to time, but not exceeding in the aggregate, the sum of three hundred and forty-nine million six hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Public Housing Loan, Act of 1987, and shall be issued for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section three of Article LXII of the Amendments to the Constitution of the Common-

(b) front-end loans for pre-construction costs, including site planning and land acquisition;

(c) technical assistance to facilitate homeownership;

(d) and innovative approaches to design and financing for homeownership, including co-operatives.

Notwithstanding the provision of section twenty-six and twenty-seven of chapter twenty-nine of the General Laws, in so far as such provisions are related to the contracting powers of a state agency, the Executive Office of Communities and Development is hereby authorized to enter into contracts and provide loans in an amount not to exceed fifteen million dollars in the aggregate for the purpose of implementing this section.

SECTION 10. The secretary of communities and development may establish a special unit to be assigned exclusively to expedite the planning, design and construction of projects funded by section three of this act. The secretary may, in accordance with a schedule approved by the commissioner of administration and finance, temporarily hire additional employees or consultants and assign any employee of the department to the special unit as may be required for the supervision of said projects; provided, that the salaries and administrative expenses of the special unit shall be paid from funds made available by this act, in an amount not to exceed three-tenths of one per cent annually of the total appropriation in this act, as a part of the cost of development and construction of said projects.

SECTION 11. The Executive Office of Communities and Development shall promulgate regulations pursuant to the Rental Housing Development Action Loan Program and the Housing Innovations Fund Program established under section three of this act. Any regulation, amendment thereto or repeal thereof, issued under the provisions of this section shall, prior to compliance with chapter thirty A of the General Laws, be submitted to the general court and the general court shall have sixty days for review and comment. Any such regulations filed with the general court shall require contracts authorized pursuant to said regulations to include adequate enforcement provisions to endure that low-income units are set aside in accordance with the terms of such contracts. Such regulations shall be accompanied by a summary of the regulations in terms which are understandable to a lay person.

SECTION 12. The executive office of communities and development shall submit to the house and senate committees on ways and means and the joint com-

thority of this section: (i) rentals to be paid by tenants of the property subject to such grant shall be determined solely pursuant to section 8 of the United States Housing Act of 1937, as amended, and rules and regulations thereunder, as long as payments are being made with respect to such property pursuant to said section 8; (ii) any such property may be conveyed to a non-profit organization or resident cooperative or otherwise conveyed by the housing authority, if such conveyance is a condition imposed by the United States Department of Housing and Urban Development for receipt of the property by the authority or for commitment of subsidy pursuant to said section 8; and (iii) the department may make expenditures pursuant to such clause to provide the development cost of ancillary commercial space."

SECTION 8. Notwithstanding the provisions of any general or special law to the contrary, housing authorities shall make maximum effort consistent with regulations promulgated by the department of community affairs and consistent with emergency case plans adopted pursuant thereto to make housing units developed with funding provided in section three available for homeless families of low income and receiving benefits pursuant to chapter one hundred and eighteen of the General Laws, in areas where the department determines that such a need exists.

SECTION 9. The Executive Office of Communities and Development is hereby authorized to administer a Homeownership Opportunity Program to develop homeownership opportunities for moderate income persons and families; provided that, for the purpose of this section the term moderate income shall be as defined in section twenty-five of chapter twenty-three B of the General Laws; provided further that projects funded pursuant to this section shall be for new construction, rehabilitation of abandoned structures, conversion of non-housing structures to housing use; or co-operatives or other forms of tenant purchase; provided further that such program shall include the following:

(a) write-down of interest rates for first-time home buyers, provided that the Executive Office of Communities and Development shall establish regulations prior to the expenditures of any funds for this purpose to ensure to the maximum extent feasible that the initial ratio of sales price to appraised value will be maintained in all subsequent sales and that when any home purchases pursuant to this section is resold in less than five years the amount of the interest rate write-down provided through this program shall be repaid to the Massachusetts Housing Partnership Fund;

mittee on housing and urban development on or before December 31, 1987, a study of the projected total supply and demand for housing in the commonwealth for a period of five years beginning from the effective date of this act. Said study shall include but not be limited to the following data: annual projections of the number of both publicly and privately owned housing units statewide, categorized by the various types of housing units, the number and type of both publicly and privately owned units converted to condominiums; housing vacancy rates by city or town; the average rent of the various types of housing units by city or town; annual projections of the demand for housing units in the commonwealth, including low income units for elderly families, handicapped persons and families of which one or more person is handicapped, and persons with special needs such as adolescents, battered spouses, veterans and substance abusers; and an analysis of the cost per unit of constructing state-assisted housing for families, the elderly, and the handicapped since 1981, including an identification of those units or buildings constructed since 1981 which have required subsequent repairs or rehabilitation. Said study shall further investigate methods and procedures necessary to shorten the time frame from initial award letter to actual unit occupancy. The study shall be conducted in cooperation with and in consultation with the joint committee on housing and urban development. The executive office of communities and development shall further submit to the house and senate committees on ways and means and to the joint committee on housing and urban development a progress report on the funding cycle after each award round.

SECTION 13. All of the amounts appropriated under the provisions of this act, except for the amount authorized for item 3722-8879 of section three of this act, shall be in addition to any amounts previously authorized prior to the passage of this act.

Endorsements Follow On

H 5218

House of Representatives, July 7, 1987.

Passed to be enacted, George Lenerman Speaker.

In Senate, July 7, 1987.

Passed to be enacted, William M. Bulger, President.

July 14, 1987.

Approved,

Michael S. Dukakis Governor.

WARRANTY PROVISIONS OF USED MOTOR VEHICLES

S. 42 PETITION

Of Salvatore R. Albano, Joseph K. Mackey, David B. Cohen, Marjorie A. Clapprood, Frederick E. Berry, Francis D. Doris and other members of the General Court for legislation to further define the warranty provisions in the sale of uses motor vehicles.

01/07/87	S.	Referred to the committee on COMMERCE AND LABOR
01/07/87	H.	House concurred
	P.	Hearing date Mar 11 am
04/29/87	S.	Reported by committee
05/06/87	S.	Accomapnied a new draft, see S1812 -SJs 435-436

S. 1812 Bill to further define the warranty provision of used motor vehicles.

05/06/87	S.	Reported from the committee on COMMERCE AND LABOR
05/06/87	S.	New draft of S42, H1108, H1110, H2689, H3096, H3636 and H4006
05/06/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJs 435-436
05/19/87	S.	Committee recommended ought to pass with an amendment
05/19/87	S.	Referred to the committee on SENATE STEERING AND POLICY
05/19/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means amendment pending -SJ 547
05/20/87	S.	Read second, amended (as recommended by the committee on Ways and Means) and ordered to a third reading -SJs 562-563
05/26/87	S.	Read third and passed to be engrossed -SJ 594
05/28/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 824
06/25/87	H.	Committee recommended ought to pass with an amendment
06/25/87	H.	Placed in the Orders of the Day for the next session with the amendment pending -HJ 1028
06/29/87	H.	Read second
06/29/87	H.	Amendment recommended by committee adopted
06/29/87	H.	Amendment adopted
06/29/87	H.	Amendment adopted
06/29/87	H.	Ordered to a third reading -HJ 1043
07/13/87	H.	Read third (title changed)
07/13/87	H.	Amendment rejected -YEAS 46, NAYS 102 [See Yea and Nay in Supplement, No. 331]
07/13/87	H.	Amendment rejected - YEAS 6, NAYS 144 [See Yea and Nay in Supplement, No. 332]
07/13/87	H.	Amendment adopted
07/13/87	H.	Amendment adopted (subsequently reconsidered)

WARRANTY PROVISIONS OF USED MOTOR VEHICLES
(CONTINUE PAGE TWO)

07/13/87	H.	Amendment rejected - YEAS 40, NAYS 110 [See Yea and Nay in Supplement, No. 333]
07/13/87	H.	Motion to reconsider previously adopted amendment prevailed
07/13/87	H.	Recurring amendment rejected - YEAS 23, NAYS 125 [See Yea and Nay in Supplement, No. 334]
07/13/87	H.	Amendment adopted
07/13/87	H.	Passed to be engrossed - YEAS 145, NAYS 4 [See Yea and Nay in Supplement, No. 335] -HJ 1154
07/14/87	S.	Rules suspended
07/14/87	S.	Senate concurred in the House amendments -SJs 1017-1018
07/15/87	H.	Enacted -HJ 1202
07/15/87	S.	Enacted and laid before the Governor -SJ 1034
07/21/87	G.	Signed by the Governor, Chapter 289 Acts

S 1812

Chapter 289.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT FURTHER REGULATING THE WARRANTY PROVISIONS OF USED MOTOR VEHICLES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by inserting after section 7N 1/2 the following section:-

Section 7N 1/4. (1) For the purposes of this section the following words shall have the following meanings:-

"Business day", Monday to Friday, inclusive, except for state or federal holidays.

"Consumer", a buyer, other than for purposes of resale, of a motor vehicle, any person to whom such motor vehicle is transferred during the period of any express or statutory warranty under this section applicable to such motor vehicle, and any other person entitled by the terms of such warranty to enforce its obligations.

"Dealer", any person engaged in the business of selling, offering for sale, or negotiating the retail sale of used motor vehicles or selling motor vehicles as broker or agent for another, including the officers, agents and employees of such person and any combination or association of dealers, but not including a bank or other financial institution, or the commonwealth, its agencies, bureaus, boards, commissions, authorities, nor any of its political subdivisions. A person shall be deemed to be engaged in the business of selling used motor vehicles if such person has sold more than three used motor vehicles in the preceding twelve months.

"Motor vehicle" or "vehicle", any motor vehicle as defined in section one, sold or replaced by a dealer or manufacturer, except that it shall not include auto homes, vehicles built primarily for off-road use or any vehicle used primarily for business purposes.

"Private seller", any person who is not a dealer and who offers to sell or sells a used motor vehicle to a consumer.

"Purchase price", the total of all payments made for the purchase of a vehicle, including but not limited to any finance charges, registration fees, payments made for credit life, accident, health, and damage insurance, and collision and related comprehensive insurance coverages and service contracts and the value of a trade-in.

"Repurchase price", the purchase price, as defined above, less any cash award that was made by the dealer in an attempt to resolve the dispute and was accepted by the consumer, and less any refunds or rebates to which the consumer is entitled, plus any incidental damages not previously reimbursed, including but not limited to the reasonable costs of towing from point of breakdown up to thirty miles to obtain required repairs or to return the vehicle under this section, and the reasonable costs of obtaining alternative transportation during the applicable warranty period after the second day following each such breakdown not to exceed fifteen dollars vehicle rental charges for each day in which the cost of such alternative transportation is reimbursable.

"Used motor vehicle" or "used vehicle", any vehicle driven more than the limited use necessary in moving or road testing a new vehicle prior to delivery to a consumer, including a demonstrator vehicle, except that it shall not include auto homes, vehicles built primarily for off road use, motorcycles, or any vehicle used primarily for business purposes.

(2) (A) (i) No used motor vehicle shall be sold in the commonwealth by a dealer to a consumer unless accompanied by an express written warranty covering the full cost of both parts and labor necessary to repair any defect that impairs the said used motor vehicle's safety or use; provided, however, that the consumer may be required to pay no more than one hundred dollars total toward the repair of any covered defect, series of defects or combination of defects during the warranty period. Defects that affect only appearance shall not be deemed to impair safety or use for the purposes of this section. For the purposes of this section, defect shall include defect, malfunction or any combination or defects or malfunctions.

(ii) Defects or malfunctions which involve parts or components that are covered or are warranted under an express warranty issued by the dealer of the used motor vehicle shall be excluded from this section if the following conditions have been met: the manufacturer's warranty has been duly assigned or transferred to the buyer; is enforceable according to its terms; is not inconsistent with this section; and, the seller has assured that the repair authorized by such manufacturer's express warranty was made.

(i) A consumer shall return a vehicle for repair under this section by presenting it to the dealer no later than five business days after the expiration of the applicable warranty period and informing him of the defect. Said return period shall be tolled during any time period in which the consumer has notified the dealer of the defect but cannot reasonably present the vehicle to the dealer; including, but not limited to, the reason that a used motor vehicle is inoperable and the dealer refuses to pay the charge to tow said vehicle. The dealer shall immediately accept return of a vehicle when it is so presented. Said used motor vehicle shall be deemed out of service commencing the day it is so presented, notwithstanding any dealer's failure to accept its return on said day. During the applicable warranty period and the aforesaid return period, the dealer shall pay the reasonable costs of towing from point of breakdown up to thirty miles to obtain required repairs or to return the vehicle to the dealer.

Upon return of the used motor vehicle to the consumer after repair, the dealer shall provide the consumer with a warranty repair receipt describing (a) the defect complained of, (b) the work performed in an attempt to correct such defect and the identity of the repairer if it is not the dealer, and (c) the parts replaced in performing such work. For the dealer to toll the ten business day period as provided in clause (ii) of this paragraph said dealer shall attach to each such warranty repair receipt copies of such order forms, invoices, receipts or other evidence of a parts order and its receipt to evidence his compliance with this paragraph.

(ii) If the dealer fails to repair the same defect within three attempts, or if the used motor vehicle is out of service for more than a cumulative total of ten business days after the consumer has returned it to the dealer for repair of the same, then the dealer shall accept return of the vehicle from the consumer and refund the full repurchase price, less a reasonable allowance for use. A reasonable allowance for use shall be fifteen cents for each mile the used motor vehicle has been operated between its sale and the dealer's repurchase.

A consumer shall have the option of retaining the use of any vehicle returned under the provisions of this section until such time as said consumer has been tendered a full refund. The use of any vehicle retained by a consumer after its return to a manufacturer under the provisions of this section, shall, in instances in which a refund is tendered, be reflected in the above-mentioned reasonable allowance for use.

The terms of the seller's warranty shall be tolled for any period of time the used motor vehicle is out of service by reason of repair under the manufacturer's warranty.

(B) The express warranties required by this section shall be of the following durations:

(i) For a used motor vehicle which, at the time of sale, has been operated less than forty thousand miles, ninety days or three thousand seven hundred and fifty miles, whichever occurs first. Said ninety days or three thousand seven hundred and fifty mile warranty is in addition to any right the consumer may have under section seven N 1/2.

(ii) For a used motor vehicle which, at the time of sale, has been operated forty thousand miles or more, but less than eighty thousand miles, sixty days or two thousand five hundred miles, whichever first occur.

(iii) For a used motor vehicle which, at the time of sale, has been operated eighty thousand miles or more, but less than one hundred and twenty-five thousand miles, thirty days or one thousand two hundred and fifty miles, whichever first occur.

(iv) If the used motor vehicle's true mileage is not known, such warranty period shall be determined by the age of said used motor vehicle in the following manner: a used motor vehicle three years old or less shall have a warranty as provided in clause (i); a used motor vehicle more than three, but less than six years old, shall have a warranty as provided in clause (ii); and a used motor vehicle six years old or more shall have a warranty as provided in clause (iii). A used motor vehicle's age shall be determined by subtracting its model year from the year in which the warranty holder purchased said used vehicle.

(C) The warranty periods established by this section shall be tolled during any period in which the used motor vehicle is out of service as a result of any repair attempt pursuant to any warranty created by this section. The applicable warranty period shall be extended thirty days from the date of completion of any repair required by this section as to the defect repaired if the warranty would otherwise have expired during such period.

(3) (A) A dealer may repair, within the meaning of this section, either by performing the repair himself or by arranging and making payment for prompt repair by another.

A used motor vehicle shall not be considered out of service for purposes of the ten business-day period described hereinabove for any day in which a part necessary to repair a defect complained of is not in the dealer's possession; provided, however, that the dealer has ordered the part by reasonable means on the same day on which he knew or should have known that the part was necessary, except that in no event shall a part's unavailability operate to toll the ten business-day period for more than twenty-one days. The applicable warranty period shall be extended by the number of days a part is unavailable.

(iii) All dealers shall submit to state-certified, used car arbitration, if such arbitration is requested by the consumer, asserting his or her right to a repurchase under this section, within six months from the date of original delivery to such consumer of a used motor vehicle. State-certified, used car arbitration shall be performed by a professional arbitrator or arbitration firm appointed by the secretary of consumer affairs and business regulation and operating in accordance with the regulations promulgated pursuant to this section, and shall result in a written finding of whether the motor vehicle in dispute meets the standards set forth by this section for vehicles that are required to be repurchased. Said finding shall be issued within forty-five days of receipt by said secretary of a request by a consumer for state-certified arbitration under this section. Said secretary shall promulgate rules and regulations governing the proceedings of state-certified, used car arbitration which shall promote their fairness and efficiency. Such rules and regulations shall include, but not be limited to, a requirement of the personal objectivity of each such arbitrator, and the protection of the right of each party to present its case and to be in attendance during any presentation made by the other party.

If a motor vehicle is found by state-certified, used car arbitration to have met the standards set forth by this section for vehicles required to be repurchased, and if the dealer who sold said motor vehicle is found to have failed to provide said refund as required, such dealer shall, within twenty-one days from the issuance of such finding, deliver such refund, including the incidental and other costs set forth in the definition of "repurchase price" or appeal the finding in a district or superior court. No such appeal by a dealer shall be heard unless the petition for such appeal is filed with the clerk of the district or superior court within twenty-one days of issuance of

the finding of the state-certified arbitration and is accompanied by a bond in a principal sum equal to the money award made by the state-certified arbitrator plus five hundred dollars for anticipated attorneys' fees, secured by cash or its equivalent, payable to the consumer.

The liability of the surety of any bond filed pursuant to this section shall be limited to the indemnification of the consumer in the action. Such bond shall not limit or impair any right of recovery otherwise available pursuant to law, nor shall the amount of the bond be relevant in determining the amount of recovery to which the consumer shall be entitled.

Upon an appeal, the court shall vacate the award only if:

(a) the award was procured by corruption, fraud or other undue means;

(b) there was evident partiality by an arbitrator or corruption in any of the arbitrators, or misconduct prejudicing the rights of any party; or

(c) the arbitrators exceeded their powers.

In addition to any other rights and remedies, any consumer dissatisfied with any finding of state-certified, used car arbitration shall have the right to file a claim pursuant to chapter ninety-three A.

In addition to any other recovery, any prevailing consumer shall be awarded reasonable attorneys' fees and costs.

Whoever, within twenty-one days of any finding in favor of the consumer of the state-certified, used car arbitration, fails to appeal such finding and does not deliver a refund shall be punished by a fine of fifty dollars per day until the delivery of such refund. Said fine shall not exceed five hundred dollars for each such violation. The amount of said fine shall begin to accumulate on the twenty-second day following the arbitration decision. If eighty-one days has elapsed from the issuance of a finding in favor of the consumer of the state-certified, used car arbitration, and no appeal has been taken and no award delivered and no fine paid, the attorney general shall initiate proceedings against dealer for failure to pay said fine. The proceedings initiated pursuant to the provisions of this section shall be commenced in superior court department of the trial court.

In addition to the remedies hereinbefore provided, the attorney general may bring an action on behalf of the commonwealth to restrain further violation of this section, to enforce any provision, and for such other relief as may be appropriate.

any of the provisions of this section or any other law. Each notice required by this section shall describe the procedures available to redress violations of this section and shall contain the telephone number of the attorney general's consumer protection division complaint section and the executive office of consumer affairs and business regulation.

(6) A dealer's failure to comply with any of the provisions of this section shall constitute an unfair or deceptive act under the provisions of chapter ninety-three A.

(7) Notwithstanding any provisions of law to the contrary, this section shall not apply to any used motor vehicle sold by a dealer to a consumer for less than seven hundred dollars.

(8) A private seller shall clearly disclose to any prospective buyer, before the sale is completed, all defects the seller knows of which impair the used motor vehicle's safety or substantially impair its use. Failure to so disclose known defects shall entitle the buyer, within thirty days after the sale, to rescind the sale and be entitled to return of all monies paid to the seller less a reasonable amount for use as defined in clause (iv) of paragraph (A) subsection (3). In any subsequent action by a buyer under this section, if the court finds that the settlement offer was unreasonable in light of the circumstances or that the private seller has otherwise failed to comply with the requirements of this subsection, in addition to damages, it shall award the buyer reasonable attorneys' fees and costs; if the court finds that the buyer's action was frivolous or not in good faith, it shall award the seller reasonable attorneys' fees and costs. It shall be an affirmative defense in any such action that an alleged defect does not impair the vehicle's safety, or substantially impair its use, or that it is the result of the buyer's negligence, abuse, damage caused by accident, vandalism or attempt to modify the vehicle.

(9) Nothing in this section shall be construed in any way to limit the enforceability of any implied warranties created by law, any rights created by section seven N or seven N 1/2, or chapter ninety-three A or any rules and regulations promulgated pursuant thereto, or express warranties given by a dealer in connection with the sale of a used motor vehicle, or any other rights or remedies available to consumers under applicable law.

(10) If a consumer is eligible for relief under the provisions of section seven N 1/2, to have repairs effected or other relief provided under the pro-

(iv) At any time within the applicable warranty period and after a consumer has complained of a defect, notwithstanding any objection from the consumer, the dealer shall have the option of repurchasing a used vehicle and refunding the full repurchase price, less a reasonable allowance for use. A reasonable allowance for use shall be fifteen cents for each mile the used motor vehicle had been operated between its sale and the dealer's repurchase.

(v) If the dealer is required to or elects to repurchase a vehicle under the terms of this section, the consumer and dealer shall cooperate with each other to execute all necessary documents in order to clear the title of any encumbrances on the repurchased vehicle.

(B) It shall be an affirmative defense to any claim under this section that an alleged defect (i) does not impair the vehicle's use or safety, (ii) is the result of owner negligence, abuse, damage caused by accident, vandalism, or, an attempt to repair the vehicle by a person other than the dealer, the dealer's designee, or the manufacturer's representative under clause (ii) of paragraph (A) of subsection (2), (iii) is the result of any attempt by the consumer to modify the vehicle, (iv) was covered or warranted under an express warranty issued by the manufacturer of such used motor vehicle, that such warranty issued by the manufacturer of such used motor vehicle was in effect during the warranty period established by this section, so long as the conditions in said clause (ii) of said paragraph (A) of said subsection (2) are met.

(4) Clear and conspicuous notice of the warranties created by this section, of the rights pertaining thereto, and of the implied warranty of merchantability shall be given to the consumer in writing at the time the consumer purchases a used motor vehicle from the dealer. Failure to provide such notice shall toll the warranty periods under this section until such notice is given.

(5) The secretary of consumer affairs and business regulation shall promulgate rules and regulations to implement the notice provisions of this section. Said rules and regulations shall include the establishment of wording, format, placement, and distribution of all notices specified in this section. In her discretion, and in order to facilitate ease of understanding by consumers, said secretary may consolidate the notices required by this section and any other notices pertaining to the purchase of motor vehicles; provided, however, that such consolidation does not render the notices inconsistent with

visions of an express warranty covering such used motor vehicle issued by the manufacturer of such used motor vehicle, said consumer shall make reasonable effort in accordance with the terms and conditions thereof to obtain such relief or repairs before seeking enforcement of rights under this section. If the consumer, notwithstanding his eligibility to do so, is unable to enforce rights under said section seven N 1/2 or under such express warranty and the dealer provides such relief or, in accordance with the provisions of this section, repurchases such used motor vehicle, the dealer shall be subrogated to the rights of such consumer against such manufacturer under the provisions of said section seven N 1/2, such express warranty and otherwise in accordance with applicable law, and may enforce the same in his name in the superior court or district court department. Such manufacturer shall hold the dealer harmless from and against all damages, liabilities, losses and reasonable expenses of suit, including reasonable attorneys' fees arising out of or incurred by the dealer by its compliance with the provisions of this section if such manufacturer, having been notified in writing by the dealer that such rights have been asserted by a consumer, fails to resolve the same at its own expense in or within seven business days.

(11) The licensing authorities responsible pursuant to section fifty-nine of chapter one hundred and forty for licensing used motor vehicle dealers shall distribute copies of this section to each dealer licensed at any time a license is granted or renewed.

(12) The provisions of this section shall not apply to the sale of a leased vehicle by a lessor to the lessee of said vehicle, a family member or employee of said lessee or to the sale of a used motor vehicle by an employer to his employee.

(13) Any action brought pursuant to this section shall be commenced within two years of the date of original delivery of the used motor vehicle to the consumer.

SECTION 2. Section 58 of chapter 140 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by striking out the definition of *Class 2* and inserting in place thereof the following definition:-

Class 2. Any person whose principal business is the buying or selling of second hand motor vehicles may be granted a used car dealer's license; provided, however, that such person maintains or demonstrates access to repair facilities sufficient to enable him to satisfy the warranty repair obligations

imposed by section seven N 1/4 of chapter ninety. A used car dealer shall remain liable for all warranty repairs made and other obligations imposed by said section seven N 1/4 of said chapter ninety.

The registrar of motor vehicles shall promulgate rules and regulations defining sufficient repair facilities for the holder of a used car dealer's license.

SECTION 3. The provisions of sections one of this act shall take effect on July first, nineteen hundred and eighty-eight. The registrar of motor vehicles shall promulgate rules and regulations pursuant to section two of this act on or before June first, nineteen hundred and eighty-eight. The secretary of consumer affairs and business regulation shall promulgate rules and regulations pursuant to section one, specifically the notice provisions and arbitration program, on or before June first, nineteen hundred and eighty-eight.

SECTION 4. The provisions of section two shall not be applicable to any person who holds a Class 2 license issued under the provisions of section fifty-eight of chapter one hundred and forty of the General Laws as of June first, nineteen hundred and eighty-eight, until December thirty-first, nineteen hundred and eighty-eight.

House of Representatives, July 15, 1987.

Passed to be enacted, George Fiorentini, Speaker.

In Senate, July 15, 1987.

Passed to be enacted, William M. Bulger, President.

July 21, 1987.

Approved,

Michael S. Dukakis, Governor.

GUARDIANS AND CONSERVATORS

S. 876 PETITION

Of Michael LoPresti, Jr., Arthur Joseph Lewis, Jr., Susan D. Schur, John M. McDonough, Eleanor Myerson, Paul Kollios, other members of the General Court and another for legislation to eliminate discrimination in guardian and conservatorship laws.

01/07/87	S.	Referred to the committee on THE JUDICIARY
01/07/87	H.	House concurred
	P.	Hearing date Mar 9 pm
04/16/87	S.	Bill reported favorably by committee and referred to the committee on SENATE STEERINT AND POLICY -SJ 260
05/05/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 409
05/06/87	S.	Read second, ordered to a third reading, rules suspended, read third (title changed) and passed to be engrossed -SJ 456
05/21/87	H.	Read; and place in the Orders of the Day for the next session -HJ 22
05/26/87	H.	Read second and ordered to a third reading -HJ 794
07/13/87	H.	Read third and passed to be engrossed -HJ 1151
07/14/87	H.	Enacted -HJ 1166
07/15/87	S.	Enacted and laid before the Governor -SJ 1028
07/23/87	G.	Signed by the Governor, Chapter 320 Acts

S 876

Chapter 320.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO GUARDIANS AND CONSERVATORS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 1 of chapter 201 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by striking out, in line 4, the words "advanced age,".

SECTION 2. Section 16 of said chapter 201, as so appearing, is hereby amended by striking out, in line 1, the words "advanced age or".

SECTION 3. Section 21 of said chapter 201, as so appearing, is hereby amended by striking out, in line 1, the words "advanced age or",- and by striking out, in line 6, the words "advanced age,".

House of Representatives, July 14, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, July 15, 1987.

Passed to be enacted, William M. Bulger, President.

July 23, 1987.

Approved,

Governor.

COMMERCIAL REAL ESTATE DEVELOPMENT

H. 4887 PETITION

Of Kevin W. Fitzgerald and other members of the General Court (with the approval of the mayor and city council) for legislation to authorize certain actions by the city of Boston relative to new large scale commercial real estate development.

02/26/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT -HJs 59-60
03/02/87	S.	Senate concurred -SJs 64-65
	P.	Hearing date Apr 22 am
04/29/87	H.	Reported by committee
06/01/87	H.	Bill reported favorably by committee and placed in the Orders of theDay for the next session -HJ 842
06/02/87	H.	Read second and ordered to a third reading -HJ 867
07/06/87	H.	Read third
07/06/87	H.	Bills in the Third Reading discharged
07/06/87	H.	Passed to be engrossed -HJ 1096
07/07/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 954
07/13/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 985
07/14/87	S.	Read second
07/14/87	S.	Motion to lay on the table pending and postponed to the next session -SJ 1016
07/15/87	S.	Pending motion to lay on the table negatived
07/15/87	S.	Ordered to a third reading -SJ 1032
09/21/87	S.	Read third and passed to be engrossed -SJs 1153-1154
09/23/87	H.	Enacted -HJ 1316
09/23/87	S.	Enacted and laid before the Governor -SJ 1184
10/05/87	G.	Signed by the Goveronr, Chapter 371 Acts

H 4887

Chapter 371.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT AUTHORIZING CERTAIN ACTIONS BY THE CITY OF BOSTON TO MITIGATE THE EFFECTS OF NEW LARGE-SCALE COMMERCIAL REAL ESTATE DEVELOPMENT (LINKAGE).

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. *Preamble* Whereas, the general court finds and declares that a serious public emergency exists in the city of Boston with respect to housing and employment of a substantial number of the citizens of said city, as hereafter described; and

Whereas, due to its concentrated population, its intense land use by business, educational, governmental, and religious entities, its role as the center of commerce and finance in New England, and its geographic layout, the city of Boston is unique in the commonwealth; and

Whereas, there is not an adequate supply of affordable housing for low and moderate income residents of said city; and

Whereas, the development and construction of large-scale commercial real estate projects, without the obligation to mitigate their adverse impact on the availability of such affordable housing, is contrary to the public health, safety, convenience and welfare; and

Whereas, there is an urgent need to supply affordable housing for low and moderate income residents of said city in conjunction with the development and construction of new large-scale commercial real estate projects; and

Whereas, the development and construction of new large-scale commercial real estate projects in said city influences land use patterns and can directly and indirectly eliminate existing businesses; and

Whereas, new large-scale commercial real estate developments influence employment opportunities for low and moderate income residents and tend to reduce the number of jobs for which low and moderate income residents of said city are qualified; and

Whereas, new large-scale commercial real estate developments change the character of surrounding areas and, to the extent that such developments cre-

ate jobs, they create jobs for which low and moderate income residents of said city are not qualified without additional job training; and

Whereas, the development and construction of new large-scale commercial real estate projects, without the obligation to mitigate their adverse impact on the availability of jobs for which low and moderate income residents of said city are qualified, is contrary to the public health, safety, convenience and welfare; and

Whereas, there is an urgent need to provide job training to low and moderate income residents of said city in conjunction with the development and construction of new large-scale commercial real estate projects; and

Whereas, the foregoing findings are based upon a consideration of city of Boston housing trends, production statistics for new dwellings and housing vacancy rates for affordable housing for low and moderate income residents, as well as a consideration of employment trends, unemployment rates, and statistics on job training programs; and

Whereas, it is hereby determined that: (1) prior to the effective date of this act, developers of new large-scale commercial real estate developments, have relied reasonably and in good faith on the applicability to their developments of article 26, article 26A and article 26B of the city of Boston zoning code; (2) the approval, grant, or enactment of all zoning code amendments, zoning map amendments, zoning variances, conditional use permits, and zoning exceptions requested by any new large-scale commercial real estate developments, is an act of independent legal significance governed by the provisions of the city of Boston zoning code; (3) prior to the effective date of this act, owners and financiers of new large-scale commercial real estate developments, relying reasonably and in good faith on the validity of zoning code amendments, zoning map amendments, zoning variances, conditional use permits, and zoning exceptions approved, have invested a substantial amount of funds and time in such projects; (4) the agreements to make development impact project exactions, development impact project contributions and jobs contribution grants entered into prior to the effective date of this act provide revenues to meet a public exigency for the provision of affordable housing and job training for low and moderate income residents of the city of Boston; and (5) there is an urgent need to provide the public with certainty (i) that the funds, time and jobs invested in and dependent upon development impact projects are secure; (ii) that the zoning code amendments, zoning map amend-

ments, zoning variances, conditional use permits, and zoning exceptions upon which such development impact projects depend are secure; and (iii) that the development impact project exactions, development impact project contributions and jobs contribution grants agreed to be made by development impact projects are available for the provision of job training and affordable housing for low and moderate income residents of said city; now

THEREFORE, this act is declared to be in the public interest and necessary for the public health, safety and general welfare of the citizens of the city of Boston.

SECTION 2. Chapter 665 of the acts of 1956, as amended by section 2 of chapter 669 of the acts of 1974, is hereby further amended by inserting after section 10 the following section:-

Section 10A. Any persons aggrieved by a decision of the zoning commission approving a zoning map amendment or a zoning regulation or amendment thereof, or by any procedural defect therein, or any municipal board or officer, may appeal such decision to the superior court in the county of Suffolk or to the land court; provided, however, that such appeal is filed in said court within thirty days after such decision became effective in accordance with the provisions of section three. Upon an appeal pursuant to this section, the court shall hear all pertinent evidence and determine the facts, and, upon the facts as so determined, annul such action if found to exceed the authority of such commission, or make such other decree as justice and equity may require. The foregoing remedy shall be exclusive; but the parties shall have all rights of appeal and exception as in other equity cases.

Costs shall not be allowed against said zoning commission unless the court finds that the commission acted with gross negligence, in bad faith or with malice; and costs shall not be allowed against the party appealing from the action of the commission unless the court finds that said party acted in bad faith or with malice in appealing to the court.

Appeals to the superior court under this section shall have precedence over all other civil actions and proceedings.

SECTION 3. Said chapter 665, as so amended, is hereby further amended by adding the following six sections:-

Section 15. When used in sections fifteen through twenty, inclusive, terms, not otherwise defined, shall be defined in accordance with the definitions contained in the city of Boston zoning code in effect on the date of en-

actment hereof, unless the context requires otherwise and the following terms shall, unless the context requires otherwise, have the following meanings:-

"Affordable housing", a unit or units of housing, whether rental, condominium or cooperative, or a single or multi-family owner occupied home exclusively, for low and moderate income residents (i) for which the occupancy cost to the residents thereof does not exceed such percentage of the income of the occupant household as may be established from time to time for low and moderate income residents in the Boston area by the United States department of housing and urban development, as the maximum total tenant payment pursuant to section eight of the United States housing act of nineteen hundred and thirty-seven, as amended by the housing and community development act of nineteen hundred and seventy-four and as further amended from time to time, and regulations promulgated pursuant thereto, or (ii), as otherwise defined by the zoning commission through its adoption of the definition of any state or federal agency, authority, department or similar instrumentality providing financial assistance to reduce the occupancy cost of housing to low and moderate income residents.

"Affordable housing exaction", a contribution towards the creation of affordable housing by a developer whether in kind, or by the payment of a sum of money in lieu thereof by said developer to the neighborhood housing trust; or a combination of such creation and monetary payment; all made in accordance with regulations promulgated by the Boston zoning commission.

"Combined index", an index which measures the increase in price levels by combining in equal proportions the consumer price index for all urban consumers or "CPI-U" with a 1967 index of 100 and the housing component of said CPI-U for the Boston metropolitan area, as these indices are published from time to time by the bureau of labor statistics, United States department of labor.

"CPI-W", an index now known as the consumer price index for urban wage earners and clerical workers, all items, for the Boston metropolitan area with a 1967 index of 100 as published from time to time by the bureau of labor statistics, United States department of labor.

"Developer", the person or entity seeking to create one or more new large-scale commercial real estate developments in the city of Boston.

"Employment exaction", a contribution by a developer towards the creation of a job training program or programs whether by the creation of such program

or the payment of a sum of money in lieu thereof by said developer to the neighborhood jobs trust; or a combination of such creation and monetary payment; all made in accordance with regulations promulgated by the Boston zoning commission.

"Job training programs", programs designed to enhance the ability of the participants to be qualified to successfully compete for employment opportunities including, without limitation, job training, adult literacy training, employment counseling and associated support services.

"Low and moderate income resident", a resident, or group of residents all of whom occupy the same dwelling unit as their principal residence, whose total income (i) is no greater than the per cent of the median income for the Boston area set forth in or determined based upon regulations and definitions promulgated from time to time by the United States department of housing and urban development pursuant to section eight of the housing act of nineteen hundred and thirty-seven, as amended by the housing and community development act of nineteen hundred and seventy-four and as further amended from time to time, for lower income families or very low income families as defined in such regulations, or any combination thereof as determined by the zoning commission or (ii) is otherwise defined by the Boston zoning commission through its adoption of the definition of any state or federal agency, authority, department or similar instrumentality providing financing, subsidy or other financial assistance to reduce the occupancy cost of housing to low and moderate income residents.

"Neighborhood housing trust", a Massachusetts public charitable trust created under the authority of this act and the laws of the commonwealth and administered by the collector-treasurer of the city as managing trustee pursuant to chapter seven of the ordinance of the city of Boston of nineteen hundred and eighty-six and pursuant to a declaration of trust dated November nineteenth, nineteen hundred and eighty-five.

"Neighborhood jobs trust", a Massachusetts public charitable trust created under the authority of this act and the laws of the commonwealth and administered by the collector-treasurer of the city as managing trustee.

"New large-scale commercial real estate development", any development in the city of Boston in which development it is proposed to erect a building or structure having a gross floor area, exclusive in both cases of all accessory parking garage space, in excess of one hundred thousand square feet, or to en-

large or extend a building or structure so as to increase its gross floor area, exclusive of all accessory parking garage space in both cases, to more than one hundred thousand square feet or to substantially rehabilitate a building or structure or portion thereof having, or to have, after rehabilitation, a gross floor area, exclusive of all accessory parking garage space in both cases, of more than one hundred thousand square feet which square footage is intended for one or more of the following "exaction" uses: (1) office, (2) retail business or service, (3) institutional or educational, (4) hotel or motel, but not including an apartment hotel or lodging house.

"Substantially rehabilitated", to cause alterations or repairs to be made to a building or structure, constituting the new large-scale commercial real estate development, within any period of twelve months, costing in excess of fifty per cent of the assessed value of the building or structure as it appears on the assessment rolls of the city as of the first day of January preceding the date of application for the zoning relief to authorize such alterations or repairs, including, without limitation, conditional use permits, exceptions, zoning map or text amendments or variances, or the date of application for the building permit for such alterations or repairs, whichever is earlier.

Section 16. Notwithstanding the provisions of any general or special law or rule to the contrary, in the city of Boston the zoning commission is hereby authorized to adopt zoning regulations or amendments thereto for the purpose of mitigating the effects of any new large-scale commercial real estate development on the health and welfare of low and moderate income residents of Boston due to the unavailability of affordable housing in the city of Boston. Such regulations shall provide that, with respect to a new large-scale commercial real estate development, any relief granted under the provisions of the zoning code, existing or as amended, including without limitation the granting of a conditional use permit, exception, zoning map or text amendment or variance, shall be conditioned upon action, or promised action, by the developer seeking to obtain such relief to contribute an affordable housing exaction, to mitigate the effects which the new large-scale commercial real estate development project may have upon the availability of affordable housing within the city, which action shall be, the contribution towards the creation of affordable housing as determined by the zoning commission pursuant to duly adopted regulation. Affordable housing may be a portion of a housing development which includes residents of mixed income levels.

If the developer chooses to contribute towards the creation of housing in kind, in lieu of making the affordable housing exaction money payments provided for in this section, such affordable housing contribution shall be created in accordance with regulations adopted by the zoning commission which is hereby authorized to delegate to the Boston redevelopment authority hereinafter referred to as BRA, the authority to adopt such housing creation regulations. Such regulations may authorize such contribution by the actual creation of affordable housing, or by the economic participation in such creation, including without limitation, the making of loans, contribution of capital to partnerships, limited partnerships, or joint ventures, or the assignment of the developers' contractual obligations to make the money payments provided for in this section. The economic benefit, if any, of the right to any repayment of such economic participation shall be redirected by the developer, pursuant to the provisions of the housing creation regulations, or, in the absence of such redirection, to the neighborhood housing trust.

The zoning commission shall determine by regulation that the value of the affordable housing exaction shall be measured on the basis of dollars per square foot devoted to exaction uses in excess of one hundred thousand square feet of gross floor area devoted to exaction uses, exclusive in both cases of all accessory parking garage space, in the new large-scale commercial real estate development project. The developer of any new large-scale commercial real estate development project, in lieu of contributing towards the creation of affordable housing referred to in the preceding paragraph, may make a payment or payments of an amount of money equal to the measured value of the affordable housing exaction to the neighborhood housing trust authorized by section twenty over a payment period to be established by regulation of the zoning commission, for the purpose of mitigating the impact of new large-scale commercial real estate developments.

Such regulations shall provide that the measured value of the affordable housing exaction shall be determined on the basis of a fixed dollar amount per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet of gross floor area devoted to exaction uses, exclusive in both cases of all accessory parking garage space, of the new large-scale commercial real estate development, as determined by the zoning commission upon written recommendations of the BRA, which recommendations shall include an analysis of the following: (1) economic trends, such as real

estate development activity, commercial rents per square foot, employment growth and inflation rates; (2) housing trends measured in terms of vacancy rates for affordable housing available to low and moderate income residents, and production statistics for new dwelling units; and (3) any other such information which the BRA deems appropriate for consideration; provided, however, that the zoning commission shall be authorized to decrease the measured value of the above affordable housing exaction at any time upon consideration of the factors above; provided further, that the zoning commission shall not be authorized to set the measured value of the above affordable housing exaction at more than five dollars per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet devoted to exaction uses, exclusive in both cases of all accessory parking garage space; and, provided further, that three years after the effective date of this act and no more frequently than at three year intervals thereafter, the zoning commission is authorized to increase the measured value above such five dollar maximum, but any such increase, expressed as a percentage increase of the then applicable maximum per square foot amount, shall not exceed the per cent of the increase in the combined index for the prior thirty-six month period. No such increase shall apply to any new large-scale commercial real estate development for which an application for a conditional use permit, exception, zoning map or text amendment or variance has been filed with the appropriate governmental authority prior to the effective date of such increase or for which an application for a planned development area has been filed with the BRA prior to the effective date of such increase, whichever occurs first. The payment period for the affordable housing exaction shall be the payment period for the housing contribution grant or exaction as set forth in article 26A of the Boston zoning code as of November first, nineteen hundred and eighty-six and any such period shall not be altered by subsequent regulation. Any affordable housing exaction payment shall be made to the neighborhood housing trust, as created and administered pursuant to section twenty. The zoning commission is authorized to promulgate such regulations or rules as will effectuate the purposes of this section.

Section 17. Notwithstanding any provisions of general or special law or rule to the contrary, in the city of Boston the zoning commission is hereby authorized to adopt zoning regulations or amendments thereto for the purpose of mitigating the effects of any new large-scale commercial real estate devel-

opment on the health and welfare of low and moderate income residents of the city of Boston due to the unavailability of employment opportunities for such low and moderate income residents of Boston. Such regulations shall provide that any relief granted under the provisions of the zoning code, existing or as amended, including without limitation the granting of a conditional use permit, exception, zoning map or text amendment or variance, shall be conditioned upon action, or promised action, by the developer seeking to obtain such relief to contribute an employment exaction to mitigate the effects which the new large-scale commercial real estate development project may have upon the availability of jobs for low and moderate income residents within the city, which action shall be the contribution towards the creation of job training programs for the training of low and moderate income residents of the city as determined by the zoning commission pursuant to duly adopted regulation.

The zoning commission shall determine by regulation that the value of a employment exaction shall be measured on the basis of dollars per square foot devoted to exaction uses in excess of one hundred thousand square feet of gross floor area devoted to exaction uses, exclusive in both cases of all accessory parking garage space, in the new large-scale commercial real estate development project. The developer of any new large-scale commercial real estate development project, in lieu of contributing towards the creation of the job training programs or similar activities projects referred to in the preceding paragraph, may make a payment or payments of an amount of money equal to the measured value of the employment exaction to the neighborhood jobs trust authorized by section twenty of this chapter over a payment period to be established by regulation of the zoning commission, for the purpose of mitigating the impact of the new large-scale commercial real estate development project.

Such regulations shall provide that the measured value of the employment exaction shall be determined on the basis of a fixed dollar amount per square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet devoted to exaction uses, exclusive in both cases of all accessory parking garage space, in the new large-scale commercial real estate development, as determined by the zoning commission upon written recommendations of the BRA, which recommendations shall include an analysis of the following: (1) economic trends, such as real estate development activity, commer-

cial rents per square foot, employment growth and inflation rates; (2) employment trends such as unemployment rates and statistics on the availability and use of job training programs; and (3) any other such information which the BRA deems appropriate for consideration; provided, however, that the zoning commission shall be authorized to decrease the measured value of the above employment exaction at any time upon consideration of the factors above; provided, further, that the zoning commission shall not be authorized to set the value of the above employment exaction at more than one dollar per square foot of gross floor area devoted to exaction uses, exclusive in both cases of all accessory parking garage space, in excess of one hundred thousand square feet devoted to exaction uses; and, provided further, that three years after the effective date of this act and no more frequently than at three year intervals thereafter, the zoning commission is authorized to increase the measured value above such one dollar maximum, but any such increase, expressed as a percentage of the then applicable maximum per square foot amount, shall not exceed the per cent of increase of CPI-W for the prior thirty-six month period. No such increase shall apply to any new large-scale commercial real estate development for which an application for a conditional use permit, exception, zoning map or text amendment or variance has been filed with the appropriate governmental authority prior to the effective date of such increase or for which an application for a planned development area has been filed with the BRA prior to the effective date of such increase, whichever occurs first. The payment period for the employment exaction shall be the payment period for the jobs contribution grant as set forth in article 26B of the Boston zoning code as of November first, nineteen hundred and eighty-six and shall not be altered by subsequent regulation. Any employment exaction shall be paid into the neighborhood jobs trust as created pursuant to section twenty of this chapter. The zoning commission is authorized to promulgate such regulations or rules, as will effectuate the purpose of this provision.

Section 18. (a) The zoning commission is further authorized to promulgate zoning regulations and amendments thereto for the purpose of mitigating the effects of any new large-scale commercial real estate development in the city of Boston on the availability of affordable housing or employment opportunities for low and moderate income residents of Boston; provided, however, that such regulations may not be in force simultaneously with those authorized by sections sixteen and seventeen. Such regulations and amendments may provide

that any relief granted under the provisions of the zoning code, existing or amended, including without limitation the granting of a conditional use permit, exception, zoning map or text amendment or variance, shall be conditioned upon action or promised action by the developer seeking to create such new large-scale commercial real estate development project or obtain such relief to mitigate the effects which the new large-scale commercial real estate development may have upon low and moderate income residents of the city as determined by the zoning commission pursuant to duly adopted regulations. Such regulations or amendments shall state the specific improvements or amenities to be provided as a condition required for the grant of zoning relief and the zoning relief to be granted.

(b) Any such regulations and amendments must provide that (1) the present and future economic burden of any such improvements or amenities shall not exceed the sum of the present value of five dollars per square foot paid in equal and annual installments over a seven year period plus the present value of one dollar per square foot paid in equal and annual installments over a two year period, each commencing on the date of the issuance of the building permit, for each square foot of gross floor area devoted to exaction uses in excess of one hundred thousand square feet devoted to exaction uses, exclusive in both cases of all accessory parking garage space, in the new large-scale commercial real estate development; provided, however, that three years after the effective date of this act and no more frequently than at three year intervals thereafter, the zoning commission is authorized to increase the maximum per square foot amount but any such increase, expressed as a percentage of the then applicable maximum per square foot amount, shall not exceed the per cent increase of the combined index for the prior thirty-six month period and (2) the developer seeking to create such new large-scale commercial real estate development shall have the right to make a cash payment equal to such economic burden to a fund designated in such regulations or amendments in lieu of providing any such improvements or amenities. The incorporation herein of a limitation upon the economic burden of any such condition which may be imposed or agreed upon shall not be construed as mandating the imposition of any particular condition.

Section 19. Notwithstanding any provision of general or special law or rule to the contrary, (a) articles 26, 26A and 26B of the Boston zoning code; (b) all zoning code amendments, zoning map amendments, zoning variances, con-

ditional use permits and zoning exceptions granted or enacted prior to the effective date of any zoning code amendment or zoning commission regulation pursuant to this act and in any way dependent upon, or related to, articles 26, 26A or 26B of the Boston zoning code, or any of them, which have not been appealed or challenged on the grounds of the invalidity of said articles, or any one of them, in judicial proceedings timely and properly commenced, prior to the enactment of this act or which have been so appealed or challenged in judicial proceedings which have been dismissed or otherwise adjudicated in favor of the developer prior to the enactment of this act; (c) all zoning code amendments, zoning map amendments, zoning variances, conditional use permits and zoning exceptions granted or enacted prior to the effective date of any zoning code amendment or zoning commission regulations pursuant to this act and in any way dependent upon or related to, articles 26, 26A or 26B of the Boston zoning code, or any of them, which have been appealed or challenged on the grounds of the invalidity of said articles, or any of them, in judicial proceedings timely and properly commenced prior to the enactment of this act and which have not been dismissed or otherwise adjudicated in favor of the developer prior to the enactment of this act; (d) any development impact project exactions, development impact project contributions and jobs contribution grants, as those terms are defined in said articles, and agreements for such exactions, contributions and grants related to or dependent upon any of the zoning actions described in clause (b) and (c); and (e) any additional actions, zoning variances, conditional use permits and zoning exceptions granted pursuant to, or in connection with, any development contemplated by any zoning map amendment, zoning code amendment or agreement described in clauses (b), (c) or (d), whether or not subsequent to the date of enactment of this act, are hereby ratified, validated and confirmed, insofar as any such amendments, variances, permits, exceptions, exactions, contributions, grants, agreements, and other actions may be invalid by reason of any invalidity of said articles or any of them. Any new large-scale commercial real estate development which is the subject of any agreement ratified, validated and confirmed by this section, and any additional actions, zoning variances, conditional use permits, zoning exceptions, and zoning code and text amendments ratified, validated and confirmed by this section, shall be governed by any such agreement and by the provisions of said articles 26, 26A and 26B, or any of them, pursuant to which said agreements were made, and shall not be subject to any zoning regulations

act and now existing, and any ordinance passed for the purpose of authorizing the establishment of such trusts or funds passed prior to the effective date of this act including, without limitation, chapter seven of the ordinances of the city of Boston of nineteen hundred and eighty-six and declaration of trust of neighborhood housing trust dated November nineteenth, nineteen hundred and eighty-five and any actions taken by the trustees of said neighborhood housing trust or neighborhood jobs trust prior to the effective date of this act are hereby authorized, validated and confirmed.

Any payments made by a developer of a new large-scale commercial real estate development pursuant to chapter seven of the ordinances of the city of Boston of nineteen hundred and eighty-six and the declaration of trust of the neighborhood housing trust dated November nineteenth, nineteen hundred and eighty-five before the effective date of any amendment of said chapter or declaration of trust or of any trust or fund hereafter established by the city, in either case pursuant to this act, shall be governed by said chapter of the ordinances of nineteen hundred and eighty-six and said declaration of trust of November nineteenth, nineteen hundred and eighty-five, and shall not be subject to any trust or fund amendments or any new trust or fund hereafter established.

SECTION 4. This act shall take effect upon its passage.

House of Representatives, September 23, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, September 23, 1987.

Passed to be enacted, William M. Bulger, President.

October 5, 1987.

Approved,

at Ten o'clock and 10 minutes, A. M.

Governor.

or amendments hereafter adopted by the zoning commission pursuant to this act. Notwithstanding the foregoing, no new large-scale commercial real estate development shall be subject to the terms and provisions of sections 26-3(2)(c) of article 26, section 26A-3(2)(c) of article 26A or section 26B-3(1)(c) of article 26B of the Boston zoning code.

Section 20. Notwithstanding any general or special law or rule to the contrary, the city of Boston is hereby authorized to establish, by ordinance, separate funds, to be known as the neighborhood housing trust and the neighborhood jobs trust. Each such fund shall be held in trust by the collector-treasurer under such terms as may heretofore or hereafter be prescribed by ordinance, subject to the approval of the mayor. Each fund shall consist of all payments heretofore or hereafter made by any developer pursuant to sections sixteen, seventeen, eighteen and nineteen other than contributions towards the creation of affordable housing as provided in section sixteen and any funds appropriated to such funds by the city for the purposes set forth in this act and in ordinances regulating such trusts for which appropriations are hereby authorized. Any payments made to such separate funds pursuant to the provisions of this act shall be impressed with the terms of the trusts established under the authority of this section and the ordinances adopted pursuant to this section, and shall be received by the collector-treasurer and deposited by him in a separate account; provided, however, that with respect to each new large-scale commercial real estate development, the total amount of all such payments to be made by a developer to such trusts shall first be accepted by the city council and approved by the mayor, which acceptance shall be deemed a final appropriation of said payments to such trusts. All payments to be made by a developer to such separate funds in respect to a particular new large-scale commercial real estate development shall thereupon and thereafter be deposited directly into such trusts and may thereafter be expended by the trustees of said trusts for the purposes authorized by this act, and for no other purpose. All such funds received, accepted or appropriated shall at all times be impressed with the terms of the trusts as defined by this act as regulated by ordinance and shall be dedicated exclusively to the development and operation of affordable housing for low and moderate income residents of Boston or to the development of job training programs for low and moderate income residents of Boston, and for no other purpose. Any trust or fund heretofore established by the city for either of the two purposes described in this

RELIEF TO CITIES AND TOWNS

H. 5343 PETITION

Of Frank M. Hynes, William B. Golden, George Keverian, Walter J. Bovernini, James R. Miceli, Charles F. Flaherty and other members of the General Court relative to providing relief to cities and towns damaged by the storm of January second, nineteen hundred and eighty-seven.

04/23/87	H.	Referred to the committee on JOINT RULES, reported, rules suspended and referred to the committee on HOUSE WAYS AND MEANS -HJ 382
04/27/87	S.	Senate concurred -SJ 313
07/13/87	H.	Accompanied a new draft, see H5906

H. 5906 Bill providing relief to cities and towns damaged by the storm of January second, nineteen hundred and eighty-seven.

07/13/87	H.	Reported from the committee on HOUSE WAYS AND MEANS
07/13/87	H.	New draft of H5343
07/13/87	H.	Bill reported favorably by committee
07/13/87	H.	Rules suspended
07/13/87	H.	Read second, ordered to a third reading, rules suspended, read third and passed to be engrossed -HJ 1149
07/14/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1005
09/29/87	S.	Committee recommended ought to pass with an amendment, inserting in place thereof the text of S2030
09/29/87	S.	Referred to the committee on SENATE STEERING AND POLICY
09/29/87	S.	Committee reported that the matter be placed in the Orders of the Day for Monday, October 5, with the recommended Ways and Means new text (S2030) pending, under the provisions of Senate Rules 27A -SJs 1193-1194
10/05/87	S.	Read second
10/05/87	S.	Amended by striking out all after the enacting clause and inserting in place thereof the text of S2030 (as recommended by committee)
10/05/87	S.	Ordered to a third reading
10/05/87	S.	Rules suspended
10/05/87	S.	Read third and passed to be engrossed -SJ 1222
10/06/87	H.	Rules suspended
10/06/87	H.	House concurred in the Senate amendment -HJ 1403
10/07/87	H.	Enacted -HJ 1413
10/07/87	S.	Enacted and laid before the Governor -SJ 1250
10/15/87	S.	Recalled from the Governor -SJ 1270
10/19/87	S.	Motion (by unanimous consent) to reconsider prevailed
10/19/87	S.	Rules suspended
10/19/87	S.	Amendments adopted -SJs 1293-1294

RELIEF TO CITIES AND TOWNS
(CONTINUE PAGE TWO)

10/19/87	H.	Rules suspended
10/19/87	H.	House concurred in the Senate amendments -HJ 1454
10/20/87	H.	Again enacted -HJ 1468
12/20/87	S.	Again enacted and again laid before the Governor -SJ 1315
10/20/87	G.	Signed by the Governor, Chapter 409 Acts

Chapter 409.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT PROVIDING RELIEF TO CITIES AND TOWNS DAMAGED BY THE STORM OF JANUARY SECOND, NINETEEN HUNDRED AND EIGHTY-SEVEN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. To provide for disaster relief and meet the expenses of public services incurred as a result of the storm which struck the commonwealth on January second, nineteen hundred and eighty-seven, the sum set forth in section two is hereby appropriated, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter one hundred and ninety-nine of the acts of nineteen hundred and eighty-seven.

SECTION 2. Section 2 of chapter 199 of the acts of 1987 is hereby amended by inserting after line item 1599-3526 the following line item:

1599-3530 For the purpose of providing disaster relief relating to the damage caused by the storm which struck the commonwealth on January second, nineteen hundred and eighty-seven, including but not limited to the clean-up, repair, rebuilding, and restoration of beaches, shores, seawalls, and roads, and with the understanding that the figures below represent approximately eighty-seven and one-half per cent of the cost of the total damages certified by the civil defense agency and the office of emergency preparedness:

Newbury	34,374
Salisbury	15,823
Newburyport	12,063
Rockport	105,000
Manchester	136,238
Swampscott	441,875

Revere	13,098
Winthrop	25,407
Quincy	136,062
Hull	616,172
Cohasset	2,188
Scituate	953,311
Marshfield	376,846
Brewster	22,409
Provincetown	10,675
Yarmouth	8,506
Plymouth	91,875
	3,001,922

Local Aid Fund 100.0%

SECTION 3. This act shall take effect upon its passage.

House of Representatives, October 20, 1987.

Passed to be enacted, George Fleming, Speaker.

In Senate, October 20, 1987.

Passed to be enacted, William M. Bulger, President.

October 20, 1987.

Approved,

at Three o'clock and 45 minutes, P. M.

Governor.

ACCESS TO HEALTH CARE SERVICES

H. 2328 PETITION

Of John E. McDonough and other members of the House relative to promoting access to health care services.

01/08/87	H.	Referred to the committee on HEALTH CARE
01/08/87	S.	Senate concurred
	P.	Hearing date Apr 13 am
05/05/87	H.	Reporting date extended to Wed., June 10, pending concurrence -HJ 520
05/11/87	S.	Senate concurred -SJ 478
05/13/87	H.	Reported by committee and placed in the Orders of the Day for the next session -HJ 784
05/27/87	H.	Read second
05/27/87	H.	Postponed to Mon., June 1 -HJ 819
06/01/87	H.	Ordered to a third reading -HJ 844
06/08/87	H.	Read third (title changed) and passed to be engrossed -HJ 902
06/10/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 689
06/30/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 891
07/01/87	S.	Read second and ordered to a third reading -SJ 919
11/16/87	S.	Read third, amended and passed to be engrossed -SJ 1460
11/23/87	H.	Rules suspended
11/23/87	H.	House concurred in the Senate amendment -HJ 1614
11/24/87	H.	Enacted -HJ 1630
11/24/87	S.	Enacted and laid before the Governor -SJ 1524
12/02/87	G.	Signed by the Goveronr, Chapter 542 Acts

Chapter 542.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO ACCESS TO HEALTH CARE SERVICES.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 93 of the General Laws is hereby amended by adding after section 94, inserted by chapter 424 of the acts of 1987, the following six sections:-

Section 95. For purposes of sections ninety-five to one hundred, inclusive, the following words shall have the following meanings unless the context clearly requires otherwise:-

"Listed action", any (a) claim for personal injuries made against any provider of health care services or subscriber, whether for injuries to the person making the claim or to any other person, or (b) complaint or stated intention to complain of the conduct of any provider of health care services or subscriber to any governmental agency, licensing authority or certifying authority.

"Listing service", any person, firm, corporation, partnership, unincorporated association, franchise, franchisor or other entity which compiles plaintiff personal injury listings for distribution to subscribers.

"Plaintiff", any person who has initiated a listed action.

"Plaintiff personal injury listing", a compilation or index of one or more names of persons who have initiated, or currently are initiating, or who have sought or have attempted to seek a settlement of, a listed action.

"Subscriber", any person, firm, corporation, partnership, unincorporated association, franchise, franchisor or other entity which directly provides health care services or which is engaged in the organization, administration, management, financing or insuring of the provision of health care services and which purchases, rents, borrows or otherwise obtains information contained in a plaintiff personal injury listing.

Section 96. (1) No plaintiff personal injury listing may be sold or otherwise distributed by a listing service unless it includes a clear and accu-

rate statement of the following information as to each matter listed therein:-

(a) the names and addresses of the parties;

(b) the claim of the plaintiff; and

(c) the current status or disposition of the matter so listed including, when applicable, whether the matter has gone to a hearing or trial, whether the trier of fact has found the defendant liable, the amount of the settlement or award to plaintiff, if any, and the terms of the settlement or award.

Section 97. Every listing service shall disclose in writing to all persons named in a plaintiff personal injury listing the fact of such listing and the information contained therein. Disclosure shall also include the identity of all subscribers to whom the person's listing has been furnished and the following statement:

Your name appears in a listing of persons who have taken action against a doctor, clinic, hospital or other health care provider. You have the right to review the information on the list for accuracy and completeness. If you believe any information contained in this listing is either incorrect or incomplete, you may submit a written statement to the listing service explaining in what way the information is incomplete or inaccurate and correcting the information. You cannot be refused the services of any provider of health care services on the basis of your name appearing on this list.

If the person believes the information disclosed to him by the listing service to be either inaccurate or incomplete, such person may submit a written statement to the listing service which explains in what way the information is incomplete or inaccurate and corrects the information. The listing service shall, within twenty days of receiving the statement, correct or complete the listing service's information and shall promptly notify all subscribers of the correct or complete information; provided, however, that if the listing service believes the statement to be incorrect, it shall investigate and state in writing to the person who submitted the statement its reasons for declining to correct or complete the listing in whole or in part. The listing service shall report in all future listings that the person has submitted such a statement, and shall include as part of the listing a copy of such statement and any response of the listing service.

Section 98. It is hereby declared to be an unfair and deceptive act or practice in violation of chapter ninety-three A for a subscriber, listing service, or nonsubscriber provider of health care services, or any of their agents, employees or other representatives to:-

(a) Retaliate against a person whose name is contained in a plaintiff personal injury listing by refusing to provide, or refusing to continue to provide, or otherwise interfering with the provision of health care services to the named person or to any member of the named person's family, or by any other manner of discrimination against such person in the provision of health services.

(b) Conspire with any subscriber or provider of health care services to retaliate against a person whose name is contained in a plaintiff personal injury listing by refusing to provide, or refusing to continue to provide, or otherwise interfering with the provision of health care services to the named person or to any member of the named person's family or by any other manner of discrimination against such person in the provision of health services.

(c) Retaliate against a person whose name is contained in a plaintiff personal injury listing by refusing to enroll, insure, or allow to participate in any plan for the provision of health care services the named person or any member of the named person's family or by any other manner of discrimination against such person in the provision of health services.

(d) Violate or fail to comply with any other provision of section ninety-six or ninety-seven.

This section shall not be construed to prevent other acts or practices of a listing service or subscriber from being declared to be in violation of said chapter ninety-three A or of any other law.

In any action brought there shall be a presumption of retaliation upon a showing by the plaintiff that (a) his name was contained in a plaintiff personal injury listing, (b) said plaintiff sought services from a subscriber, and (c) said plaintiff was refused such services. This presumption may be rebutted by a showing by the defendant by a preponderance of the evidence that the plaintiff was refused such services for a valid business reason and not in whole or in part due to the appearance of the plaintiff's name in a plaintiff personal injury listing.

Section 99. Any person who is aggrieved as a result of a violation of sections ninety-six to ninety-eight, inclusive, or the attorney general, may bring an action for recovery of actual damages or one thousand dollars, whichever is greater, and other relief, including injunctive relief, civil penalties and attorney's fees as provided by chapter ninety-three A. Nothing in this section shall be construed to allow treble damages pursuant to chapter

ninety-three A. Nothing in sections ninety-six to ninety-eight, inclusive, shall be construed so as to nullify or impair any other right or rights which a person may have against a subscriber or listing service at common law, by statute, or otherwise. The provisions of said sections ninety-six to ninety-eight, inclusive, are not exclusive and do not relieve the subscriber or listing services from compliance with all other applicable provisions of law.

Section 100. Any subscriber or listing service who violates any provision of sections ninety-six to ninety-eight, inclusive, or who shall counsel, aid or abet such violation, shall be liable for a civil penalty of not less than one thousand dollars nor more than five thousand dollars for each such violation, and other penalties as authorized pursuant to section four of chapter ninety-three A. The attorney general may file a civil action in the superior or district court in the name of the commonwealth to recover such penalties.

House of Representatives, November 24, 1987.

Passed to be enacted, George Fennair, Speaker.

In Senate, November 24, 1987.

Passed to be enacted, William M. Bulger, President.

December 2, 1987.

Approved,

Governor.

BOTTLED WATER

S. 428 PETITION

Of Carol C. Amick, Jonathan L. Healy, Steven Angelo, Carmen D. Buell, Robert C. Buell, other members of the General Court and others for legislation to ensure the purity of bottled water sold commercially in the Commonwealth.

01/07/87	S.	Referred to the committee on HEALTH CARE
01/07/87	H.	House concurred
	P.	Hearing date Mar 18 am
03/30/87	S.	Bill reported favorably by committee as changed and referred to the committee on SENATE WAYS AND MEANS -SJ 145
05/13/87	S.	Committee recommended ought to pass with an amendment and referred to the committee on SENATE STEERING AND POLICY -SJ 492
06/18/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means amendment pending -SJ 823
06/22/87	S.	Read second, amended (as recommended by the committee on Ways and Means) ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 839
06/23/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 998
11/05/87	H.	Committee recommended ought to pass and placed in the Orders of the Day for the next session -HJ 1542
11/09/87	H.	Read second and ordered to a third reading -HJ 1551
12/09/87	H.	Read third (title changed) and passed to be engrossed -HJ 1721
12/14/87	H.	Enacted -HJ 1742
12/14/87	S.	Enacted and laid before the Governor -SJ 1627
12/23/87	G.	Signed by the Governor, Chapter 594 Acts

Chapter 594

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO THE PURITY OF BOTTLED WATER SOLD COMMERCIALLY IN THE COMMONWEALTH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out section 10A, as appearing in the 1986 Official Edition, and inserting in place thereof the following section:-

Section 10A. No person shall engage within the commonwealth in the business of manufacturing or bottling carbonated non-alcoholic beverages or water, both carbonated and noncarbonated, for human consumption without a permit to do so from the board of health of the town wherein such plant is, or is to be, located, and no person engaged without the commonwealth in said business shall sell any such beverage within the commonwealth without a permit from the state department of public health, and no person shall sell or exchange, deliver, advertise, or offer for sale or exchange, or attempt to deliver, or have in his possession with intent to do so, any such beverage unless the manufacturer and bottler thereof is the holder of a permit issued under the authority of section ten B and then in full force.

SECTION 2. Said chapter 94 is hereby further amended by inserting after section 10D the following section:-

Section 10D 1/2. All persons permitted to manufacture, bottle or sell water intended for human consumption under section ten A or ten B shall, at least annually, cause to be tested by a laboratory certified as provided herein, the water contained in their finished bottled water product. If the water source or sources from which such water product is derived is located within the commonwealth, the laboratory performing such tests shall be certified by the department of environmental quality engineering to perform such tests for water quality purposes. If the water source or sources from which such water product is derived is located without the commonwealth, the laboratory performing such tests shall be certified to perform such tests for water quality

testing purposes by the appropriate agency within that state or jurisdiction wherein such laboratory is located. The testing for finished bottled water product shall include those physical, chemical, microbiological and radiological test parameters required by the department of environmental quality engineering for the testing of public water supplies. The department of public health in consultation with the department of environmental quality engineering, may, from time to time, require by rule and regulation such additional tests as it deems necessary for the protection of the public health.

The department of public health shall require any person manufacturing, bottling or selling such water to test for physical, chemical and microbiological parameters at least annually. Said department shall require that radiological testing of the finished product be performed at least once every four years. Test results shall be submitted to said department on or before November the first of the year when such tests are required. Said department shall make available to the public, upon request, any test results so submitted upon payment of a reasonable fee to be determined by the department.

SECTION 3. Said chapter 94 is hereby further amended by striking out section 10E, as so appearing, and inserting in place thereof the following section:-

Section 10E. The state department of public health and the local boards of health may make rules and regulations to carry out the provisions of sections ten A to ten D 1/2, inclusive, and section ten E 1/2.

SECTION 4. Said chapter 94 is hereby further amended by inserting after section 10E the following section:-

Section 10E 1/2. The state department of public health shall establish rules and regulations for water standards and labeling requirements for finished bottled water products which meet, at a minimum, the labeling requirements and quality standards for bottled water product set by the Federal Food and Drug Administration; provided, however, that said department shall by further regulation, establish criteria and standards which would require a label to bear a statement of sodium content per serving of certain bottled water products as determined by the department.

SECTION 5. Section 10F of said chapter 94, as appearing in the 1986 Official Edition, is hereby amended by striking out, in lines 1 and 2, the word "ten E" and inserting in place thereof the word:- ten E 1/2.

House of Representatives, December 14, 1987.

Passed to be enacted, George Kenneally, Speaker.

In Senate, December 14, 1987.

Passed to be enacted, William M. Gallen, President.

December 23, 1987.

Approved,

Michael J. Dukakis, Governor.

DISCLOSURE REQUIREMENTS IN CONSUMER CREDIT TRANSACTIONS

H. 5169 PETITION

Of Lawrence R. Alexander and other members of the General Court relative to the protection of consumers concerning credit cards issued by banking institutions.

03/12/87	H.	Referred to the committee on BANKS AND BANKING -HJ 130
03/13/87	S.	Senate concurred -SJ 105
	P.	Hearing date Apr 7 pm
04/29/87	H.	Reported by committee
05/04/87	H.	Reported (in part) by a new draft, see H5410 -HJ 496
05/05/87	H.	Residue accompanied H1099

H. 5410 Bill establishing additional disclosure requirements in certain consumer transactions.

05/04/87	H.	Reported from the committee on BANKS AND BANKING
05/04/87	H.	New draft of a part of H5169
05/04/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 496
05/05/87	H.	Read second
05/05/87	H.	Amendment adopted
05/05/87	H.	Amendment rejected - YEAS 27, NAYS 130 [See Yea and Nay in Supplement, No. 124]
05/05/87	H.	Amendment rejected -YEAS 60, NAYS 94 [See Yea and Nay in Supplement, No. 125]
05/05/87	H.	Motion to reconsider negatived - YEAS 59, NAYS 95 [See Yea and Nay in Supplement, No. 126]
05/05/87	H.	Ordered to a third reading -HJ 545
06/23/87	H.	Read third
06/23/87	H.	Bills in the Third Reading new draft pending
06/23/87	H.	Amendment ot the pending new draft adopted
06/23/87	H.	Pending Bills in theThird REading new draft substituted, see H5796, printed as amended -HJ 1005

H. 6796 Bill establishing additional disclosure requirements in certain consumer credit transactions [printed as amended by the House on June 23].

06/23/87	H.	Reported from the committee on HOUSE BILLS IN THE THIRD READING
06/23/87	H.	New draft
06/23/87	H.	Amendment adopted
06/23/87	H.	Substituted, as amended, for H5410
06/23/87	H.	Passed to be engrossed -HJ 1005
06/25/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 882
10/08/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1253

DISCLOSURE REQUIREMENTS IN CONSUMER CREDIT TRANSACTIONS
(CONTINUE PAGE TWO)

10/13/87	S.	Read second and ordered to a third reading -SJ 1266
11/16/87	S.	Read third
11/16/87	S.	Amended by striking out all after the enacting clause and inserting in place thereof the text of S2102
11/16/87	S.	Passed to be engrossed -SJ 1455
12/09/87	H.	Rules suspended
12/09/87	H.	House concurred in the Senate amendment with a further amendment -HJ 1715
12/14/87	S.	Rules suspended
12/14/87	S.	Senate concurred in the further House amendment -SJ 1613
12/15/87	H.	Enacted -HJ 1762
12/15/87	S.	Enacted and laid before the Governor -SJ 1640
12/23/87	G.	Signed by the Governor, Chapter 595 Acts

Chapter 595.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT ESTABLISHING ADDITIONAL DISCLOSURE REQUIREMENTS IN CERTAIN CONSUMER CREDIT TRANSACTIONS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by inserting after section 114B the following section:-

Section 114C. A card issuer as defined in section one of chapter one hundred and forty D, whether located within or without the commonwealth, may assess an annual fee provided that the cardholder as defined by said section one, is notified of the amount of any such fee on or with the billing statement for the billing period prior to that in which the annual fee is billed to the cardholder's account. A cardholder may cancel his credit card agreement at any time during this period without penalty. If the cardholder cancels the agreement at any other time during the year, he shall receive a refund on a pro-rata basis of two-thirds of the annual fee.

A card issuer shall report quarterly to the commissioner the finance charge rate expressed as an annual percentage rate and the amount of any annual or other fee charged during the preceding quarter to its cardholders and the conditions under which a finance charge may be imposed, including the time period within which any credit extended may be repaid without incurring a finance charge. The commissioner shall publicize and make this information readily available to the public.

SECTION 2. Chapter 140D of the General Laws is hereby amended by inserting after section 15 the following section:-

Section 15A. Any application form or pre-approved written solicitation for an open-end credit plan and any printed advertisement which contains such application form or pre-approved written solicitation which is mailed or distributed on or after July first, nineteen hundred and eighty-eight, to a consumer residing in the commonwealth by or on behalf of a credit issuer, whether such issuer is located within or without the commonwealth, and which is in-

tended to aid, promote or assist directly or indirectly in the issuance of a credit card by any issuer, shall prominently disclose in easily understood language: the current annual percentage rate for finance charges and, if the rate may vary, a statement to that effect and of the circumstances under which the rate may increase and whether there are any limitations on any such increase, as well as the effects of any such increase; the conditions under which a finance charge may be imposed, including the time period within which any credit extended may be repaid without incurring a finance charge; whether any annual fee is charged and the amount of any such fee; and whether any other charges or fees may be assessed, the purposes for which they are assessed, and the amounts of any such charges or fees.

The card issuer may submit examples of application forms, pre-approved written solicitations, and printed advertisements containing such application forms and pre-approved written solicitations to the commissioner for a determination as to whether they satisfy the requirements of this section. Approval by the commissioner shall constitute prima facie evidence of compliance with this section.

SECTION 3. Section 12H of chapter 255 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by adding the following paragraph:-

A card issuer, whether located within or without the commonwealth, may assess an annual fee provided that the cardholder is notified of the amount of any such fee on or with the billing statement for the billing period prior to that in which the annual fee is billed to the cardholder's account. A cardholder may cancel his charge card agreement at any time during this period without penalty. If the cardholder cancels the agreement at any other time during the year, he shall receive a refund on a pro-rata basis of two-thirds of the annual fee; provided, however, that for the purposes of this section a cancellation is not effective until the cardholder pays in full any outstanding balance.

House of Representatives, December 11, 1987.

Passed to be enacted, George Keverian, Speaker.

In Senate, December 15, 1987.

Passed to be enacted, William M. Bulger, President.

December 23, 1987.

Approved,

Governor.

REORGANIZING THE BOSTON SCHOOL DEPARTMENT

H. 6037 PETITION

Of Richard J. Rouse and other members of the House (with the approval of the mayor and city council) for legislation to reorganize the school committee of the city of Boston.

09/22/87	H.	Referred to the committee on LOCAL AFFAIRS -HJ 1303
09/23/87	S.	Senate concurred -SJ 1180
10/05/87	H.	Bill reported favorably by committee and placed in the Orders of the Day for the next session -HJ 1388
10/06/87	H.	Read second
10/06/87	H.	Placed at the end of the Orders of the Day -HJ 1406
10/07/87	H.	Ordered to a third reading -HJ 1414
10/28/87	H.	Read third
10/28/87	H.	Bills in the Third Reading discharged
10/28/87	H.	Passed to be engrossed -HJ 1513
10/29/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 1369
11/02/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session -SJ 1378
11/05/87	S.	Read second
11/05/87	S.	Postponed to November 9 -SJ 1401
11/09/87	S.	Postponed to November 16 -SJ 1415
11/16/87	S.	Ordered to a third reading -SJ 1458
12/15/87	S.	Read third and passed to be engrossed -SJ 1638
12/16/87	H.	Enacted -HJ 1797
12/17/87	S.	Enacted and laid before the Governor -SJ 1654
12/29/87	G.	Signed by the Governor, Chapter 613 Acts

H 6037

Chapter 613.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT REORGANIZING THE BOSTON SCHOOL DEPARTMENT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 231 of the acts of 1906, as most recently amended by section 1 of chapter 701 of the acts of 1986, is hereby further amended by striking out sections 1, 1A and 2 and inserting in place thereof the following sections:-

Section 1. (a) The school committee of the city of Boston shall, by majority vote of the whole number of its members, elect and contract with a superintendent of schools for any period of time not to exceed six years. The school committee exclusively shall fix the compensation of such superintendent, which sum shall be in full for all services rendered to said city. The school committee may remove the superintendent for just cause by a vote of three-fifths of the whole number of its members after proper notice and public hearing. The superintendent shall upon taking employment become, and during such employment remain, a resident of said city as the term resident may be defined by ordinance. Failure to maintain such residence shall be deemed a voluntary termination of employment.

(b) The superintendent of schools shall be the executive officer of the school committee in all matters pertaining to the powers and duties of the school committee. The school committee shall take no action on any particular matter without first receiving the superintendent's recommendation thereon. The superintendent shall give his recommendation before or during the regularly scheduled meeting of the school committee next following the meeting at which the particular matter is raised and at which the superintendent is asked to prepare a recommendation thereon; provided, however, that the superintendent in his sole discretion may elect to present any such recommendation at the school committee meeting at which the particular matter is raised or thereafter but prior to the next regularly scheduled school committee meeting. Any such recommendation of the superintendent shall include the superintendent's

estimate of the cost or savings involved, if any, and if the superintendent estimates that there are costs involved, the recommendation shall identify available budgeted funding sources or new funding sources. If the superintendent fails to make a recommendation on a particular matter when raised at such next regularly scheduled school committee meeting, the school committee may take action thereon without receiving the superintendent's recommendation.

(c) The superintendent of schools shall at the beginning of the term for which he was appointed, submit to the school committee a management plan for all administrators and community and deputy superintendents serving at the discretion of said superintendent. The school committee of said city, in the year nineteen hundred and eighty-nine and every sixth year thereafter or in the year when a superintendent is appointed shall vote by a two-thirds majority to accept or reject the management plan submitted by the superintendent of schools. The school committee shall accept a management plan of the superintendent on or before September first in the year that the superintendent is appointed to term.

Section 1A. (a) For the purposes of this section, all individuals engaged to render services and paid pursuant to the school department's budget shall be deemed to be school department employees and their positions shall be deemed to be school department positions.

(b) The superintendent of schools shall have the exclusive authority to make appointments and promotions for all school department positions except for the positions of community superintendent, an election or appointment of a chairman, secretary or treasurer of the school committee, of school committee administrative assistants appointed pursuant to chapter four hundred and sixty-five of the acts of nineteen hundred and sixty-four, and of special assistant corporation counsels. Prior to making an appointment or promotion to the position of community superintendent, the superintendent of schools shall present his recommendation thereon to the school committee at a regularly scheduled meeting. Any such appointment or promotion shall be deemed approved by the school committee on the sixth business day following the presentation of said superintendent's recommendation, unless a majority of the whole number of the school committee's members file with the secretary of the school committee a written objection to the intended appointment or promotion within five business days following the presentation of said superintendent's recommendation; in which case, the appointment or promotion shall be approved only

upon majority vote of the whole number of the members of the school committee.

(c) Any general or special law to the contrary notwithstanding, a vote of the school committee shall not be required for the appointment or promotion of any school department employee except as provided in section one A.

(d) Except as may be required by any collective bargaining agreement or by the provisions of chapter thirty-one and chapter one hundred and fifty E of the General Laws, and, subject to appropriation, the superintendent of schools shall have the exclusive authority to fix the compensation of all school department employees with the exception of school committee members; provided, however, that the school committee shall fix the compensation of the superintendent as provided in section one and shall fix the compensation of school committee administrative assistants appointed pursuant to chapter four hundred and sixty-five of the acts of nineteen hundred and sixty-four.

(e) The superintendent of schools shall have the exclusive authority to assign, reassign, suspend, lay-off, demote, remove and dismiss any school department employees except school committee members and administrative assistants appointed pursuant to chapter four hundred and sixty-five of the acts of nineteen hundred and sixty-four. Any general or special law to the contrary notwithstanding, the actions of the superintendent of schools pursuant to this subsection shall be deemed to be the actions of the school committee under the General Laws. In exercising his authority under this subsection, the superintendent shall have the authority and powers, and be subject to the limitations, otherwise applicable to the school committee, including but not limited to the terms of any collective bargaining agreement imposed by chapter one hundred and fifty E of the General Laws. In the case of actions taken pursuant to this subsection as to which notice or hearing, or both, would otherwise be afforded to the subject school department employee by the school committee, such notice or hearing, or both, shall be afforded instead by the superintendent of schools or his designee. In the event that said superintendent delegates to a designee the conduct of a hearing for an affected school department employee, said superintendent shall base his decision upon the evidence presented at such hearing. This section shall not affect the rights of teachers under sections forty-two, forty-three A and forty-three B of chapter seventy-one of the General Laws.

(f) The superintendent of schools shall have the authority to supervise and direct school department employees except school committee members and ad-

ministrative assistants appointed pursuant to chapter four hundred and sixty-five of the acts of nineteen hundred and sixty-four, and special assistant corporation counsels to the extent that their legal work is directed and supervised by the corporation counsel of the city of Boston.

(g) Except as specifically provided herein, nothing in this section shall be construed or interpreted so as to limit in any way the existing employment rights of school employees, including rights of tenure and seniority as provided by chapter seventy-one and chapter thirty-one of the General Laws as well as those employment rights provided under applicable collective bargaining agreements and chapter one hundred and fifty E of the General Laws.

Section 1B. (a) The school committee may delegate, in whole or in part, to the superintendent of schools the authority to approve for the school department the acceptance and expenditure of grants or gifts of funds from the federal government, charitable foundations, private corporations, individuals, or from the commonwealth, its counties, municipalities or an agency thereof, the provisions of section fifty-three A of chapter forty-four of the General Laws notwithstanding.

(b) The superintendent of schools shall provide to the school committee, the city auditor and the city office of budget and program evaluation of the city of Boston a report, detailing the source, purpose and balance on hand of all funds received or expended pursuant to subsection (a), quarterly.

Section 1D. The superintendent of schools shall submit to the school committee for approval an annual budget of the school department for the forthcoming fiscal year no later than the first Wednesday in February prior to the beginning of such fiscal year. The school committee may adopt, reject, reduce or increase any item in the recommended budget; provided, however, that if the school committee fails to take definite action on the annual budget on or before the fourth Wednesday in March of each year, the annual budget as recommended by the superintendent shall be deemed approved as if formally approved by the school committee. After approval of an annual budget by the school committee, said superintendent shall submit said approved budget to the mayor who may approve or reduce the total recommended budget. Thereafter, not later than the second Wednesday in May of each year, the mayor shall submit said annual budget to the city council for an appropriation of funds. Said superintendent shall not approve the appointment of any person except to a budgeted position.

Section 1E. For the purposes of section sixteen of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, members of the school committee and the superintendent of schools shall be deemed to be the officials responsible for the expenditures of the school department, the provisions of section eighteen of chapter one hundred and ninety of the acts of nineteen hundred and eighty-two to the contrary notwithstanding.

Section 2. (a) Subject to appropriations therefor, the superintendent of schools shall have the exclusive authority to make on behalf of the school committee contracts, or amendments to contracts, for the purchase or rental of equipment, materials, goods or supplies, leases of property, alterations and repairs of school property, and for professional or other services, with the exception of collective bargaining agreements and contracts for the transportation of students. All school department contracts or amendments to contracts shall otherwise conform to the requirements of the city charter of the city of Boston.

(b) With respect to all contracts, agreements or amendments thereto made or entered into by the school department, the superintendent shall be responsible for establishing procedures for auditing and monitoring the compliance of the parties with the terms and obligations of such contracts, agreements or amendments thereto.

SECTION 2. Chapter 224 of the acts of 1936 is hereby amended by striking out section 2, as most recently amended by section 5 of chapter 701 of the acts of 1986, and inserting in place thereof the following section:-

Section 2. (a) The city of Boston shall annually provide an amount of money sufficient for the support of the public schools as required by law; provided, however, that said city shall not be required to provide more money for the support of the public schools than is appropriated in accordance with the provisions of chapter four hundred and eighty-six of the acts of nineteen hundred and nine, as amended. In acting on appropriations for educational costs, the city council shall vote on the total amount of the appropriations requested by the mayor, but neither the mayor nor the city council shall allocate appropriations among accounts or place any restriction on such appropriations. The appropriation of said city shall establish the total appropriation for the support of the public schools, but may not limit the authority of the school committee to determine expenditures within the total appropriation; provided, however, that if the city auditor determines that school department

expenditures in any fiscal year are projected to be in excess of total budgeted expenditures for that fiscal year, as supported by appropriation and other available funding, then the school committee shall not reallocate or transfer funds from any item in the budget for that fiscal year to fund any such projected additional expenditures.

(b) After the fourth Wednesday of March of any fiscal year, the school committee shall not initiate or authorize any new or additional programs or categories of expenditures requiring additional unbudgeted expenditures unless such programs or categories have been incorporated and fully funded in the budget for the subsequent fiscal year. If such programs or categories have not been incorporated or fully funded in the budget for the subsequent fiscal year, they shall not be initiated or authorized until the school committee shall have amended its budget submission for the subsequent fiscal year to reduce or eliminate other costs, programs or categories in amounts equal to the projected annualized costs of the new or additional programs or categories of expenditures.

(c) The superintendent of schools shall prepare and submit to the school committee, the city auditor and the city office of budget and program evaluation, a monthly budget update report which shall detail and itemize year-to-date and projected school department expenditures and budget transfers.

(d) The superintendent may, after the fourth Wednesday in March, but prior to the annual appropriation, enter into contracts with the publishers or suppliers of instructional materials and books for the timely purchase and delivery of the same to be used in the schools of the school department of the city of Boston for the school year commencing during the fiscal year for which a recommended appropriation has been submitted but not yet approved; provided, however, that such contracts for the supply and delivery of said instructional materials and books shall be charged to the appropriation of the next fiscal year, and provided further that the total amount of funds obligated for such instructional materials and books ordered prior to the annual appropriation shall be limited to the amount appropriated for such expenditures in the then current annual budget and shall not exceed that amount. Pending the final annual appropriation for the school department, the city auditor may approve such contracts for the purchase and delivery of instructional materials and books, provided, however, that such contracts shall in all other respects conform to the requirements of the city charter of said city.

SECTION 3. Nothing in this act shall be deemed to affect the term of office of the superintendent of schools in office upon its effective date, nor abrogate or alter any collective bargaining agreement or other contract in force and effect on such effective date.

SECTION 4. This act shall take effect upon its passage.

House of Representatives, December 16, 1987.

Passed to be enacted, George Lenarian, Speaker.

In Senate, December 17, 1987.

Passed to be enacted, William M. Gulick, President.

December 29, 1987.

Approved,

at Two o'clock and 00 minutes, P. M.

Governor.

THE COMMONWEALTH OF MASSACHUSETTS

EXECUTIVE DEPARTMENT

STATE HOUSE • BOSTON 02133

MICHAEL S. DUKAKIS
GOVERNOR

December 29, 1987

The Honorable Michael Joseph Connolly
Secretary of the Commonwealth
State House, Room 340
Boston, MA 02133

Dear Secretary Connolly:

I, Michael S. Dukakis, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution of the Commonwealth of Massachusetts, the Referendum II, Emergency Measures, hereby declare that, in my opinion, the immediate preservation of the public peace, health, safety or convenience requires that the attached Act, Chapter 612 of the Acts of 1987, entitled "An Act Regulating the Number of Subsidized Units In Certain Residential Property", the enactment of which received my approval on December 29, 1987, should take effect forthwith.

I further declare that, in my opinion, it is in the public interest that this Act take effect immediately in order to promote affordable housing in the Commonwealth.

Sincerely,

Michael S. Dukakis
Governor

OFFICE OF THE SECRETARY, Boston, December 29, 1987

I, Michael Joseph Connolly, Secretary of State, hereby certify that the accompaning statement was filed in this Office by His Excellency the Governor of the Commonwealth of Massachusetts at three o'clock and eleven minutes, P. M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said Chapter takes effect forthwith, being chapter six hundred and twelve of the Acts of nineteen hundred and eighty-seven.

MICHAEL JOSEPH CONNOLLY,
Secretary of State.

REVISING PROCEDURES FOR THE JUDICIAL CONDUCT

H. 4110 PETITION

Of Susan D. Schur, other members of the General court and others relative to revising procedures for the Commission on Judicial Conduct.

01/12/87	H.	Referred to the committee on THE JUDICIARY
01/12/87	S.	Senate concurred
	P.	Hearing date Apr 6 pm
05/04/87	H.	Reporting date extended to Wed., June 3, pending concurrence -HJ 489
05/11/87	S.	Senate concurred -SJ 478
05/15/87	H.	Reported by committee
06/04/87	H.	Accompanied a new draft, see H5652 -HJs 886-887

H. 5652 Bill relative to the procedures for the Commission on Judicial Conduct.

06/04/87	H.	Reported from the committee on THE JUDICIARY
06/04/87	H.	New draft of S844, S880, H151, H2568, H3907, H4110 and H4262
06/04/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS ANDMEANS -HJs 886-887
06/25/87	H.	Committee recommended ought to pass with an amendment, substituting thereof a new draft, see H5823
06/25/87	H.	Placed in the Orders of the Day for the next session with the amendment pending -HJ 1028
06/29/87	H.	Read second
06/29/87	H.	Substituted by H5823 -HJ 1044

H. 5823 Bill revising the procedures for theCommission on Judicial Conduct.

06/25/87	H.	Reported from the committee on HOUSE WAYS AND MEANS
06/25/87	H.	Recommended new draft for H5652 -HJ 1028
06/29/87	H.	Substituted for H5652
06/29/87	H.	Ordered to a third reading -HJ 1044
07/06/87	H.	Read third
07/06/87	H.	Postponed to the next session -HJ 1096
07/07/87	H.	Considered
07/07/87	H.	New draft substituted, see H5884 -HJ 1124

H. 5884 Bill revising the procedures for the Commission on Judicial Conduct.

07/07/87	H.	New draft
07/07/87	H.	Substituted (on motion of Mr. Brownell) for H5823
07/07/87	H.	Passed to be engrossed
07/07/87	H.	Motion to reconsider negatived -HJ 1124

REVISING PROCEDURES FOR THE JUDICIAL CONDUCT
(CONTINUE PAGE TWO)

07/08/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 973
12/01/87	S.	Committee recommended ought to pass with an amendment, inserting in place thereof the text of S2121; and by striking out the title and inserting in place thereof a new title
12/01/87	S.	Referred to the committee on SENATE STEERING AND POLICY
12/01/87	S.	Committee reported that the matter be placed in the Orders of the Day for the next session with the recommended Ways and Means new text (S2121) and new title pending -SJ 1540
12/02/87	S.	Read second
12/02/87	S.	Amended by striking out all after the enacting clause and inserting in place thereof the text of S2121 (as recommended by committee)
12/02/87	S.	Title changed
12/02/87	S.	Ordered to a third reading
12/02/87	S.	Rules suspended
12/02/87	S.	Read third and passed to be engrossed -SJ 1552
12/21/87	H.	Rules suspended
12/21/87	H.	House NON-concurred in the Senate amendments
12/21/87	H.	Committee of conference appointed -HJ 1820
12/22/87	S.	Notice of House appointments received
12/22/87	S.	Senate insisted on its amendment
12/22/87	S.	Committee of conference appointed -SJs 1705-1706
12/28/87	H.	Notice of Senate appointments received -HJ 1869
12/28/87	H.	Reported by bommittee of conference
12/28/87	H.	For report, see H6390
12/28/87	H.	Rules suspended
12/28/87	H.	Committee of conference report accepted -HJ 1872
12/28/87	S.	Rules suspended
12/28/87	S.	Committee of conference report accepted -SJs 1741-1742
12/29/87	H.	Enacted -HJ 1895
12/29/87	S.	Enacted and laid before the Governor -SJ 1773
01/04/88	G.	Signed by the Governor, Chapter 656 Acts

H 5884

Chapter 656.

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT REVISING THE PROCEDURES FOR THE COMMISSION ON JUDICIAL CONDUCT.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 211C of the General Laws is hereby amended by striking out sections 1 to 3, inclusive, as appearing in the 1986 Official Edition, and inserting in place thereof the following three sections:-

Section 1. There shall be a commission on judicial conduct consisting of nine members. Three judges shall be appointed by the justices of the supreme judicial court, none of whom shall be justices of said court and no two of whom shall be from the same department of the trial court. Three members of the bar shall be appointed by the chief administrative justice of the trial court, none of whom shall be judges. Three members shall be appointed by the governor, none of whom shall be members of the bar. The members of the commission shall serve without compensation, but shall be reimbursed for all expenses reasonably incurred by them in the performance of their duties. Members of the commission shall serve for six year terms. Commission membership shall terminate if a member ceases to be qualified for the appointment. A vacancy shall be filled by the appointing authority for the remainder of the term. Upon the expiration of the term of office of a member, his successor shall be appointed in the manner aforesaid. No person shall succeed himself as a member of the commission except when his membership is due to an appointment to fill a vacancy for the remainder of an unexpired term. One or more alternate members, as necessary, shall be selected in the manner prescribed for initial appointments in each representative class, and shall serve at the call of the chairman to take the place of those who are disqualified from participating in a commission proceeding pursuant to commission rules.

Section 2. (1) All judges of the trial court, the appeals court and the supreme judicial court shall be subject to discipline pursuant to this chapter. The commission on judicial conduct shall have the authority to receive information, investigate, conduct hearings, and make recommendations to the

supreme judicial court concerning allegations of judicial misconduct and allegations of mental or physical disability affecting a judge's performance.

(2) The commission shall have jurisdiction over investigations and recommendations regarding discipline arising from the conduct of all judges, including any retired judge who is assigned to perform the duties of a judge for a temporary period. This jurisdiction shall include all conduct that occurred prior to a judge's assuming judicial office, and conduct of a lawyer who is no longer a judge that occurred while he held judicial office; provided, however, that in evaluating such conduct, the commission shall give substantial weight to relevant decisions of the supreme judicial court and the board of bar overseers regarding bar discipline. The foregoing shall not be construed to derogate the inherent authority of the supreme judicial court to supervise and discipline judges, the authority of the governor with the consent of the council to remove a judge upon the address of both houses of the legislature or to retire a judge involuntarily because of advanced age or mental or physical disability, the authority of the legislature to remove a judge through impeachment, or the supervisory authority of the chief justices of the appeals and supreme judicial courts or of the chief and department administrative justices of the trial court.

(3) Except where the commission determines otherwise for good cause, the commission shall not deal with complaints arising out of acts or omissions occurring more than one year prior to the date commission proceedings are initiated pursuant to section five; provided, however, that, when the last episode of an alleged pattern of recurring judicial conduct arises within the one year period, the commission may consider all prior acts or omissions related to such alleged pattern of conduct.

(4) In the absence of fraud, corrupt motive, bad faith, or clear indication that the judge's conduct violates the code of judicial conduct, the commission shall not take action against a judge for making findings of fact, reaching a legal conclusion, or applying the law as he understands it. Commission proceedings shall not be a substitute for an appeal.

(5) Grounds for discipline shall include:

(a) conviction of a felony;

(b) willful misconduct in office;

(c) willful misconduct which, although not related to judicial duties, brings the judicial office into disrepute;

(d) conduct prejudicial to the administration of justice or conduct unbecoming a judicial officer, whether conduct in office or outside of judicial duties, that brings the judicial office into disrepute; or

(e) any conduct that constitutes a violation of the codes of judicial conduct or professional responsibility.

Section 3. (1) The commission shall report only to the supreme judicial court. The commission shall be allowed for its purposes annually such amount as shall be appropriated for it by the general court. The commission shall be provided with adequate offices. The commission may adopt rules of procedure, without compliance with the provisions of chapter thirty A, but subject to the approval of the supreme judicial court, and may develop appropriate forms for its proceedings. Such rules shall establish reasonable time limits for all stages of commission proceedings and standards for extending time limits applicable to commission proceedings.

(2) Members of the commission, hearing officers, commission counsel, and staff shall be absolutely immune from suit for all conduct in the course of their official duties. A complaint submitted to the commission or its staff and communications related to the complaint shall be absolutely privileged, and no civil action predicated on the complaint or on such a communication may be instituted against any complainant or witness or his counsel; provided, however, such immunity from suit shall apply only to communications to the commission or its staff and shall not apply to public disclosure of information contained in or relating to the complaint.

(3) The commission shall appoint an executive director who shall serve at the pleasure of the commission. The executive director shall be a member of the Massachusetts bar, shall serve full time, and shall not engage in the practice of law. The executive director shall receive an annual salary, subject to appropriation, which is fixed by the commission consistent with classification and compensation policies of the supreme judicial court, and such expenses as are approved by the commission and incurred in the discharge of the executive director's duties.

(4) The executive director shall have duties and responsibilities as prescribed by the commission, including the authority to:

(a) receive information, allegations, and complaints;

(b) make preliminary evaluations;

(c) screen complaints;

(d) conduct investigations;

(e) recommend dispositions;

(f) maintain the commission's records;

(g) maintain statistics concerning the operation of the commission and make them available to the commission and to the supreme judicial court;

(h) prepare the commission's budget for approval by the commission and administer its funds;

(i) employ and supervise other members of the commission's staff;

(j) prepare the annual report of the commission's activities required pursuant to section four; and

(k) employ, with the approval of the commission and subject to appropriation, special counsel, private investigators, or other experts, and clerical assistants, as necessary to investigate and process matters before the commission and before the supreme judicial court. Neither the attorney general's staff nor law enforcement officers shall be employed for this purpose.

(5) The supreme judicial court may delegate the power to enforce process in commission proceedings to another appropriate court. A witness at any stage of commission proceedings may rely on any privilege applicable to civil proceedings.

SECTION 2. Said chapter 211C is hereby further amended by adding the following seven sections:-

Section 5. (1) Commission proceedings relating to the conduct of a judge may be initiated by an oral or written complaint stating facts that, if true, would be grounds for discipline, or by the commission's own motion when the commission receives reasonable information, including reports in the news media, as to conduct that appears to constitute grounds for discipline. Upon receipt of such complaint or adoption of such motion, the commission shall promptly notify the judge, except as provided in subdivision (2), and shall conduct a prompt, discreet and confidential inquiry, investigation and evaluation.

(2) The commission shall notify the judge of the proceedings and their subject matter before commencing any inquiry, investigation or evaluation in all cases except as follows:

(a) where, because of the nature of the complaint, delay is necessary in order to preserve evidence, notice may be delayed until such evidence is obtained, until the matter is dismissed, or until the sworn complaint or state-

ment of allegations is served pursuant to subdivision (6), whichever occurs first;

(b) where the identity of the complainant could be readily determined by the judge from the nature of the complaint and there is a danger of reprisal against the complainant, notice may be delayed until the danger of reprisal ends, until the matter is dismissed, or until the sworn complaint or statement of allegations is served pursuant to subdivision (6), whichever occurs first; provided, however, that in any such case where there is an ongoing danger of reprisal, the notice and the statement of allegations may be drafted so as to conceal the complainant's identity.

(3) The commission shall discourage and shall promptly dismiss complaints which are frivolous, unfounded or outside commission jurisdiction. The commission shall notify the judge and the complainant, if any, of such dismissal in accordance with the provisions of subdivisions (1), (2) and (10).

(4) At any stage of the proceeding, the commission shall be entitled within the time limits established by commission rule to compel by subpoena the attendance and testimony of witnesses, including the judge, and to provide for the inspection of documents, books, accounts, and other records.

(5) After a thorough inquiry, investigation and evaluation, the executive director shall recommend to the commission, and the commission shall determine, by majority vote, whether there is adequate reason to proceed to the preparation of a detailed complaint or statement of allegations. If so, the commission shall request that the complainant file a detailed sworn complaint against the judge. When a sworn complaint is not obtained, the executive director shall prepare a clear statement of the allegations against the judge and the alleged facts forming their basis. Said complaint or statement of allegations shall clearly set forth each act of misconduct where more than one act of misconduct is alleged, and shall state clearly the provision of statute, code of judicial conduct or code of professional responsibility alleged to have been violated by each alleged act of misconduct.

(6) The judge shall be served promptly with a copy of the sworn complaint or statement of allegations.

(7) The judge shall have twenty-one days after receipt of the sworn complaint or statement of allegations to respond in writing to the charges and, if he wishes, to file a written request for a personal appearance before the commission.

(8) The judge shall be entitled to counsel of his own choice. After the judge is served with the sworn complaint or statement of allegations, he shall be entitled before the issuance of formal charges and within the time limits established by commission rule to compel by subpoena the attendance and testimony of witnesses through depositions, and to provide for the inspection of documents, books, accounts, written or electronically recorded statements, and other records. The judge may file written material for commission consideration before the issuance of formal charges.

(9) If the judge requests a personal appearance before the commission, he may be accompanied by counsel, his statement and that of his counsel shall be recorded, and the commission shall not issue formal charges until after such personal appearance.

(10) If at any time prior to the issuance of formal charges the commission determines that it does not have sufficient cause to proceed, the commission shall terminate the proceedings by closing the investigation or dismissing the complaint or the statement of allegations. In that event, the commission shall give notice to the complainant, if any, and to the judge that it has found insufficient cause to proceed. The file in any matter so terminated shall be closed.

(11) The commission may not refer subsequently to a file closed before the issuance of formal charges except in the following circumstances:

(a) in a subsequent proceeding that raises similar allegations against the judge and indicates a pattern of recurring judicial misconduct;

(b) in a subsequent proceeding alleging conduct in violation of conditions imposed as part of an informal adjustment pursuant to subdivision (1) of section eight;

(c) in connection with a decision as to the recommended sanction to be imposed in a subsequent proceeding.

(12) The commission may, upon notice to the judge, amend the allegations prior to a finding of sufficient cause to issue formal charges. The judge may amend his written response or submit additional written material for commission consideration before such finding.

(13) After the judge's personal appearance pursuant to subdivision (9), if any, and after the expiration of any time limit upon written submissions by the judge pursuant to subdivisions (8) and (12), the commission shall determine whether there is sufficient cause to issue formal charges. A finding of

sufficient cause to issue formal charges shall require the concurrence of the majority of all commission members that there is a preponderance of credible evidence that the judge's conduct constitutes grounds for discipline.

(14) When sufficient cause is found, the commission shall issue formal charges stating those allegations as to which sufficient cause is found. A copy of the formal statement of charges shall be served promptly upon the judge and the judge shall have ten days to respond. Immediately thereafter, a copy of such formal statement of charges and of the judge's written response shall be filed with the supreme judicial court, which shall promptly appoint a hearing officer. Confidentiality shall cease upon this filing, as provided in section six, and after this filing the proceedings shall be governed by the provisions of section seven.

Section 6. (1) Except as provided in this section, all proceedings of the commission shall be confidential until there has been a determination of sufficient cause and formal charges have been filed with the supreme judicial court. The commission shall ensure that a procedure applicable to commission members, counsel and staff is established for enforcing confidentiality.

(2) Notwithstanding the provisions of subdivision (1), the judge may waive his right to confidentiality prior to a finding of sufficient cause. In addition, in any case in which the subject matter becomes public, through independent sources or through a waiver of confidentiality by the judge, the commission may issue such statements as it deems appropriate in order to confirm the pendency of the investigation, to clarify the procedural aspects of the disciplinary proceedings, to explain the right of the judge to a fair hearing without prejudgment, or to state that the judge denies the allegations.

(3) If the inquiry was initiated as a result of notoriety or because of conduct that is a matter of public record, and is subsequently terminated because there is insufficient cause to proceed, information concerning the insufficiency of cause to proceed may be released by the commission.

(4) Notwithstanding any other provision of this chapter to the contrary, proceedings pursuant to this chapter may remain confidential, even after a finding of sufficient cause, if the judge, the commission, and the complainant, if any, all concur.

(5) If any federal agency, the judicial nominating council, or any like agency for screening candidates for judicial appointment which succeeds the

judicial nominating council, seeks information or written materials from the commission concerning a judge, in connection with his selection or appointment as a judge, information may be divulged in accordance with procedures prescribed by commission rule, including reasonable notice to the judge affected, unless the judge signs a waiver of the right to such notice. If, in connection with the assignment of a retired judge to judicial duties, the chief justice of the supreme judicial court or the appeals court or the chief administrative justice of the trial court seeks information or written materials from the commission about the judge, information may be divulged in accordance with procedures prescribed by commission rule, including reasonable notice to the judge affected, unless the judge signs a waiver of the right to such notice.

Section 7. (1) The commission shall schedule a hearing without undue delay after the appointment of the hearing officer by the supreme judicial court. The commission shall schedule the time and place of the hearing, and shall notify the judge and all counsel of the hearing. The judge shall be afforded ample opportunity to prepare for the hearing and may amend his written response to the charges.

(2) The judge and the commission shall each be entitled to discovery to the extent available in civil proceedings, within the time limits provided by commission rules. The judge and the commission shall each be entitled to compel by subpoena the attendance and testimony of witnesses, including the judge, and to provide for the inspection of documents, books, accounts, and other records.

(3) The formal hearing shall be public and shall be conducted before the hearing officer appointed by the supreme judicial court. At the hearing, all testimony shall be under oath, the rules of evidence applicable to civil proceedings shall apply, and the judge shall be accorded due process of law.

(4) An attorney or attorneys of the commission staff, or special counsel retained for the purpose, shall present the matter to the hearing officer. The commission shall have the burden of proving the charges by clear and convincing evidence. The judge and the commission shall be permitted to present evidence and cross-examine witnesses, subject to the rules of evidence applicable to civil proceedings.

(5) The raising of mental or physical condition as a defense constitutes a waiver of medical privilege.

(6) By leave of the commission or with the consent of the judge, the statement of charges may be amended after commencement of the hearing only if the amendment is technical in nature and the judge and his counsel are given adequate time to prepare a response.

(7) Every hearing shall be transcribed.

(8) The hearing officer shall submit to the commission and to the judge a report containing proposed findings and recommendations, the transcripts of testimony and all exhibits. Counsel for the judge and commission shall have twenty days after receipt of such report to submit written objections to the findings and recommendations, and said objections shall become part of the record.

(9) Before the commission reaches its decision, the judge and the complainant, if any, shall have the right to be heard before the commission regarding its recommendation for discipline, and their statements shall be transcribed. Such hearing shall be public, but commission deliberations regarding such recommendation shall be conducted in executive session. The commission shall reach a decision on the basis of the full record within ninety days after such hearing, unless there is good cause for delay. Its conclusions may differ from those proposed by the hearing officer. Its decision shall state specific reasons for all conclusions and recommendations.

(10) A recommendation for discipline shall be reported to the supreme judicial court only if a majority of all members of the commission concur that discipline should be recommended. Any dissent as to the need for or the form of discipline shall be transmitted with the majority decision. A copy of said recommendation and dissent shall be given to the judge and shall become part of the public record. The entire record, including transcripts, exhibits and the hearing officer's report, shall be transmitted to the supreme judicial court.

(11) If a majority of the members of the commission concur that discipline should not be recommended, the matter shall be dismissed, and the judge and complainant, if any, shall be notified of such dismissal.

(12) The provisions of subdivisions (10) and (11) shall not be construed to prohibit the commission from disposing of the matter by informal adjustment pursuant to section eight as a result of commission deliberations regarding a recommendation for discipline.

(13) The expense of witnesses shall be borne by the party that calls them unless:

(a) physical or mental disability of the judge is in issue, in which case the commission shall reimburse the judge for the reasonable expenses of the witnesses whose testimony related to the disability; or

(b) the supreme judicial court determines that the imposition of costs and expert witness fees will work a financial hardship or injustice upon him and orders that those fees be reimbursed.

(14) All witnesses shall receive fees and expenses in the same manner as witnesses in civil actions before the courts. A transcript of all proceedings shall be provided to the judge without cost. Except as provided in subdivision (13), costs of all proceedings shall be at public expense.

(15) With the approval of the supreme judicial court, a judge shall be entitled to the payment of reasonable attorneys' fees by the commonwealth in any case where the matter is dismissed by the commission at any stage after the filing of a sworn complaint or statement of charges, where the supreme judicial court determines despite a commission recommendation for discipline that no sanction is justified, or where the supreme judicial court determines that justice will be served by the payment of such fees.

Section 8. (1) With the agreement of the judge, the commission may by informal adjustment dispose of a complaint at any stage of the proceedings by:

(a) informing or admonishing the judge that his conduct is or may be cause for discipline;

(b) directing professional counseling and assistance for the judge;

(c) imposing conditions on the judge's conduct; or

(d) persuading a judge to retire voluntarily.

(2) The commission may dismiss a sworn complaint, a statement of allegations or a formal statement of charges as unjustified or unfounded at any stage during the proceedings.

(3) The commission may issue a private reprimand with the consent of the judge.

(4) The commission may recommend to the supreme judicial court one or more of the following sanctions:

(a) removal;

(b) retirement;

(c) imposition of discipline as an attorney;

(d) imposition of limitations or conditions on the performance of judicial duties;

(e) public or private reprimand or censure;

(f) imposition of a fine;

(g) assessment of costs and expenses;

(h) imposition of any other sanction which is reasonable and lawful.

Section 9. The chief justice and the six most senior justices of the appeals court other than the chief justice shall serve in the place of the supreme judicial court when charges are brought against a member of the supreme judicial court.

Section 10. (1) The commission shall have authority to receive information, investigate, conduct hearings, and make recommendations to the court relating to mental or physical disability affecting a judge's performance.

(2) In carrying out its responsibilities regarding physical or mental disabilities, the commission shall follow the same procedures that it employs with respect to discipline for misconduct.

(3) If the judge in a matter relating to physical or mental disability is not represented by counsel, the commission shall appoint an attorney to represent him at public expense.

(4) If a complaint involves the physical or mental condition of the judge, a denial of the alleged condition shall constitute a waiver of medical privilege and the judge shall be required to produce his medical records.

(5) If medical privilege is waived, the judge shall be deemed to have consented to a physical or mental examination by a qualified medical practitioner designated by the commission. The report of the medical practitioner shall be furnished to the commission and the judge.

Section 11. The supreme judicial court may establish an advisory committee on the code of judicial conduct, which may render advisory opinions to judges at their request or on its own motion.

SECTION 3. Notwithstanding the provisions of section one of this act, the members of the judicial conduct commission as of the effective date of said section one shall serve out the three year terms to which they were appointed, and thereupon their successors shall be appointed to six year terms except as follows: in nineteen hundred and eighty-eight, members shall be appointed to four year terms, and in nineteen hundred and eighty-nine, members shall be appointed to five year terms.

SECTION 4. The provisions of sections two and three of chapter two hundred and eleven C of the General Laws, inserted by section one of this act,

shall take effect on April first, nineteen hundred and eighty-eight and shall apply to proceedings initiated before the judicial conduct commission by the filing of a complaint or by the adoption of a commission motion on or after such effective date.

Proceedings initiated before said effective date shall be governed by the provisions of chapter two hundred and eleven C of the General Laws which are in effect prior to said effective date and by the rules of the judicial conduct commission in effect prior to said effective date.

House of Representatives, December 29, 1987.

Passed to be enacted, George Lineman, Speaker.

In Senate, December 29, 1987.

Passed to be enacted, , President.

January 4, 1988

Approved,

/

Governor.

HANDICAPPED ACCESSIBILITY

S. 1267 PETITION

Of William B. Golden, Mary Jenette Murray, Frank M. Hynes, Robert A. Cerasoli, John Olver and other members of the General Court for legislation to provide for the State House and facilities located therein to be handicapped accessible.

01/07/87	S.	Referred to the committee on STATE ADMINISTRATION
01/07/87	H.	House concurred
	P.	Hearing date Feb 9 am
04/23/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 293
05/05/87	S.	Committee recommended ought to pass with an amendment
05/05/87	S.	Referred to the committee on SENATE STEERING AND POLICY
05/05/87	S.	Committee reported that the matter be placed in the Orders of theDay for the next session -SJ 406
05/06/87	S.	Read second, amended (as recommended by the committee on Ways and Means) ordered to a third reading, rules suspended, read third and passed to be engrossed -SJ 441
05/11/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 588
12/17/87	H.	Committee recommended ought to pass with an amendment
12/17/87	H.	Placed in the Orders of the Day for the next session with the amendment pending -HJ 1800
12/21/87	H.	Read second
12/21/87	H.	Amendment recommended by committee adopted
12/21/87	H.	Ordered to a third reading -HJ 1825
12/22/87	H.	Read third
12/22/87	H.	Amendment adopted
12/22/87	H.	Amendment adopted
12/22/87	H.	Amendment adopted
12/22/87	H.	Passed to be engrossed -HJ 1855
12/28/87	S.	Rules suspended
12/28/87	S.	Senate concurred in the House amendment -SJ 1749
12/29/87	H.	Enacted -HJ 1894
12/29/87	S.	Enacted and laid before the Governor -SJ 1783
01/06/88	G.	Signed by the Governor, Chapter 682 Acts

Chapter 682

THE COMMONWEALTH OF MASSACHUSETTS

In the Year One Thousand Nine Hundred and Eighty-seven

AN ACT RELATIVE TO PROVIDING FOR THE STATE HOUSE AND ALL FACILITIES LOCATED THEREIN TO BE HANDICAPPED ACCESSIBLE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 9 of chapter 8 of the General Laws, as appearing in the 1986 Official Edition, is hereby amended by adding the following sentence:- The state house and all facilities located therein, including hearing rooms, shall be accessible to, functional for and safe for use by physically handicapped persons; provided further that the state shall make available a certain number of designated handicapped parking spaces for the general public; provided, however, that no construction required for said accessibility, functionality and safety shall commence until the superintendent of state buildings has completed the study required in section two of this act.

SECTION 2. The superintendent of state office buildings, in cooperation with the architectural barriers board, is hereby authorized and directed to conduct a study relative to the accessibility of the state house and all facilities located therein to physically handicapped persons and to develop a plan for the alteration and improvement of any such facilities found to be inaccessible, nonfunctional, or unsafe for use by such persons. Said study shall include consideration of any necessary construction, reconstruction, alteration or remodeling of the state house, the costs thereof, the availability of authorized funding to meet such costs, the need for additional authorization of funds and the extent to which any such construction, reconstruction or remodeling may be accomplished without injuring the architectural and historical integrity of the state house. In conducting the study, the superintendent may consult with outside experts, as needed, including, but not limited to, design and building professionals, architects, engineers and contractors. The superintendent shall report the results of his study, together with any recommendations, to the house and senate committees on ways and means no later than December thirty-first, nineteen hundred and eighty-eight.

SECTION 3. Section one of this act shall take effect on April first, nineteen hundred and eighty-nine.

House of Representatives, December 29, 1987.

Passed to be enacted, George Lunceford, Speaker.

In Senate, December 29, 1987.

Passed to be enacted, William M. Bulger, President.

January 6, 1988

Approved,

Governor.

AN ABBREVIATED VERSION OF LEGISLATION SIGNED BY MEMBERS OF THE MBLC NOT PASSED

LEGISLATION IS LISTED BY LEGISLATOR

LEGISLATION SPONSORED
BY
SENATOR ROYAL L. BOLLING, SR.

SENATOR ROYAL L. BOLLING, SR.

S. 1542 PETITION

Order (offered by Mr. Bolling) relative to requiring the Department of Personnel and Administration to submit a plan to improve security and efficiency in civil service appointments and promotions.

01/20/87 S. Referred to the committee on PUBLIC SERVICE - SJ 13
11/23/87 S. Order reported favorably by committee and referred to the committee on JOINT RULES -SJ 1487
11/30/87 S. Discharged to the committee on SENATE RULES -SJ 1531
01/05/88 S. No report from committee

H. 5952 Of Kevin P. Blanchette and Royal L. Bolling, Sr., relative to further regulating the use of consultant services by the Commonwealth.

07/27/87 H. Referred to the committee on JOINT RULES, reported, rules suspended and referred to the committee on PUBLIC SERVICE -HJ 1225
01/05/88 H. Ought NOT to pass (under joint rule 10) and no action taken

S. 1324 Of Royal L. Bolling, Sr., for legislation that net proceeds from the excise posed upon deeds, instruments and writings in Suffolk County be distributed to the city of Boston.

01/07/87 S. Referred to the committee on TAXATION
05/20/87 H. Accompanied a new draft, see H5545

H. 5545 Bill to provide open space and housing funds in certain municipalities.

05/20/87 H. Reported from the committee on TAXATION
05/20/87 H. Bill reported favorably by committee and referred to the committee on HOUSE COUNTIES -HJ 751
06/03/87 H. Committee recommended ought to pass and referred to the committee on HOUSE WAYS AND MEANS -HJ 873
12/16/87 H. Substituted by H6347, as amended -HJ 1792

H. 6347 Bill to provide open space and housing funds in certain municipalities.

12/15/87 H. Reported from the committee on HOUSE WAYS AND MEANS
12/16/87 H. Bill again rejected - YEAS 70, NAYS 76 (See Yea and Nay in Supplement, No. 539) -HJ 1792

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE TWO)

S. 504 Of Salvatore R. Albano, Paul D. Harold, Arthur Joseph Lewis, Jr., Royal L. Bolling, Sr., and John Patrick Houston for legislation to require just cause for termination of residential tenancies.

01/07/87 S. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
06/25/87 H. Accompanied an new draft, see H5814

H. 5814 Bill requiring just cause for termination of residential tenancies.

06/25/87 H. Reported from the committee on HOUSING AND URBAN DEVELOPMENT
06/29/87 H. Recommitted to the committee on HOUSING AND URBAN DEVELOPMENT -HJ 1040
11/23/87 S. Senate concurred -SJ 1489

S. 573 Of Royal L. Bolling, Sr., for legislation to provide for child care linkage.

01/07/87 S. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87 H. Accompanied a new draft, see H5851
See Rep. Graham

S. 212 Of Royal L. Bolling, Sr., for legislation relative to the allocation of Horace Mann teachers.

01/07/87 S. Referred to the committee on EDUCATION
08/06/87 H. Accompanied a study resolve, see H5963
See Rep. Fox

S. 1331 Of Royal L. Bolling, Sr., for legislation to grant a property tax exemption to encourage home ownership in economically distressed areas.

01/07.87 S. Referred to the committee on TAXATION
05/19/87 S. Accompanied S1578 -SJ 549

S. 1330 Of Royal L. Bolling, Sr., for legislation to revise and clarify certain property tax exemptions.

01/07/87 S. Referred to the committee on TAXATION
05/19/87 S. Accompanied S1578 -SJ 549

S. 1311 Of Royal L. Bolling, Sr., for legislation to exempt certain lodging houses from the taxes on real property.

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE THREE)

01/07/87	S.	Referred to the committee on TAXATION
05/19/87	S.	Accompanied S1578 -SJ 549

S. 1578 Of John Patrick Houston that provision be made to require the Department of Revenue to compile a report relative to statutory property tax exemptions and abatements.

01/20/87	S.	Referred to the committee on TAXATION -SJ 9
05/19/87	S.	Resolve reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 549
10/06/87	S.	Referred to the committee on SENATE STEERING AND POLICY
10/07/87	S.	Recommitted to the committee on SENATE WAYS AND MEANS -SJ 1
10/15/87	S.	Referred to the committee on SENATE STEERING AND POLICY
10/19/87	S.	new draft substituted, see S2045 -SJ 1289

S. 2045 Resolve requiring the Department of Revenue to compile a report relative to statutory property tax exemptions and abatements.

10/15/87	S.	Reported from the committee on SENATE WAYS AND MEANS
10/15/87	S.	Referred to the committee on SENATE STEERING AND POLICY
10/19/87	S.	Bills in the Third Reading new draft substituted, see S2054 -SJ 1289

S. 2054 Resolve providing for an investigation and study by the Department of Revenue relative to statutory property tax exemptions and abatements.

10/19/87	S.	Reported from the committee on SENATE BILLS IN THE THIRD READING
10/20/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1466
01/05/87	H.	No report from committee

S. 1686 Of Royal L. Bolling, Sr., Arthur Joseph Lewis, Jr., Paul J. Sheehy, Byron Rushing, Shirley Owens-Hicks, Gloria Fox, Joseph B. Walsh and other members of the House of Representatives for legislation relative to the disposition of certain state-owned property at Boston State Hospital.

03/12/87	S.	Referred to the committee on JOINT RULES -SJ 95
03/26/87	S.	Referred to the committee on STATE ADMINISTRATION -SJs 143
08/03/87	S.	Accompanied a new draft, see S1997 -SJ 1106

S. 1997 Bill relative to the disposition of certain state-owned property at Boston State Hospital.

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08/03/87	S.	Reported from the committee on STATE ADMINISTRATION
08/03/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 1106
12/03/87	S.	Referred to the committee on SENATE STEERING AND POLICY -SJ 1561
12/15/87	S.	New draft substituted, see S2133 -SJ 1632

S. 2133 Bill relative to the disposition of certain state-owned property at Boston State Hospital.

12/03/87	S.	Reported from the committee on SENATE WAYS AND MEANS
12/03/87	S.	Referred to the committee on SENATE STEERING AND POLICY -SJ 1561
01/05/88	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS HJ 1925
01/05/88	H.	No report from committee

S. 48 Of Royal L. Bolling, Sr., Frederick E. Berry, Salvatore R. Albano, John W. Olver, Michael LoPresti, Jr., other members of the Senate and others for legislation relative to discrimination on the basis of sexual orientation.

01/07/87	S.	Referred to the committee on COMMERCE AND LABOR
05/04/87	H.	Accompanied H3445

H. 3445 Of Mark Roosevelt, other members of the General Court and another for legislation to prohibit discrimination on the basis of sexual orientation.

01/08/87	H.	Referred to the committee on COMMERCE AND LABOR
05/06/87	H.	Reprinted, as amended, see H5469 -HJs 567-572

H. 5469 Bill making it unlawful to discriminate on the basis of sexual orientation [House, No. 3445, printed as amended by the House on May 5 and 6].

05/28/87	S.	Read; and referred to the committee on SENATE WYAS AND MEANS -SJ 604
09/22/87	S.	Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 1165
11/17/87	S.	Point of order well taken and the bill was recommitted (under Senate Rule 27) to the committ-e on SENATE WAYS AND MEANS with instructions to attach a fiscal note -SJs 1468-1472
11/19/87	S.	Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY
01/05/88	S.	No further action taken

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S.	47	Of Royal L. Bolling, Sr., that provision by made for an investigation and study by a special commission (including members of the General Court) relative to public training and retraining programs.
01/07/87		S. Referred to the committee on COMMERCE AND LABOR
06/18/87		H. Accompanied an new draft, see H5755
H.	5755	Bill relative to employment and training in the Commonwealth.
06/18/87		H. Reported from the committee on COMMERCE AND LABOR
06/18/87		H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 981
01/05/88		H. No report from committee
S.	46	Of Royal L. Bolling, Sr., Michael J. Barrett and Walter J. Boverini for legislation relative to the meaning of probable cause in discrimination complaints.
01/07/87		S. Referred to the committee on COMMERCE AND LABOR
05/19/87		H. Accompanied a study order, see H5532
S.	40	Of Salvatore R. Albano, Royal L. Bolling, Sr., and Joseph K. Mackey for legislation to improve the long term care industry through stabilization of employee turnover.
01/07/87		S. Referred to the committee on COMMERCE AND LABOR
05/18/87		H. Accompanied a study order, see H5529
H.	5532	Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning the discrimination laws in the Commonwealth and other related matters.
05/19/87		H. Reported from the committee on COMMERCE AND LABOR
05/19/87		H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 739
09/10/87		H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1277
01/05/87		H. No report from committee
S.	49	Of Royal L. Bolling, Sr., for legislation to provide occupational safeguards for employees resulting from introduction and utilization of video display terminals.
01/07/87		S. Referred to the committee on COMMERCE AND LABOR
05/19/87		H. Accompanied a study order, see H5533

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H. 5533		Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents regulating video display terminals in the workplace.
05/19/87	H.	Reported from the committee on COMMERCE AND LABOR
05/19/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 739
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1277
01/05/88	H.	No report from committee
S. 55		Of Edward L. Burke, Salvatore R. Albano, Royal L. Bolling, Sr., Frederick E. Berry, Michael J. Barrett and John W. Olver for legislation relative to the testing of employees for drug or alcohol use.
01/07/87	S.	Referred to the committee on COMMERCE AND LABOR
06/22/87	H.	Accompanied a study order, see H5770
H. 5770		Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning the testing of employees for drug or alcohol use and other related matters.
06/22/87	H.	Reported from the committee on COMMERCE AND LABOR
06/22/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 986
10/01/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1378
01/05/88	H.	No report from committee
S. 138		Of Royal L. Bolling, Sr., that provision be made for an investigation and study by a special commission (including members of the General Court) relative to the use of deadly force and other force by law enforcement officials in the Commonwealth.
01/07/87	S.	Referred to the committee on CRIMINAL JUSTICE
04/02/87	S.	Resolve reported favorably by committee as changed and referred to the committee on JOINT RULES -SJ 158
04/30/87	S.	Discharged to the committee on SENATE RULES -SJ 368
01/05/88	S.	No report from committee
S. 206		Of Kevin W. Fitzgerald, Royal L. Bolling, Sr., and William R. Keating for legislation relative to the definition of an approved school project as it pertains to the school building assistance law.
01/07/87	S.	Referred to the committee on EDUCATION

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05/25/87	H. Accompanied H2717
H. 2717	Of Gloria L. Fox, Richard J. Rouse, Emanuel G. Serra, Kevin G. Honan, W. Paul White and Shirley Owens-Hicks relative to school building assistance concerning an athletic facility in the city of Boston.
01/08/87	H. Referred to the committee on EDUCATION
05/26/87	H. Bill reported favorably by committee as changed and referred to the committee on HOUSE WAYS AND MEANS -HJ 7
01/05/88	H. No report from committee
S. 210	Of the Licensed Practical Nurses of Massachusetts, Inc., by Noreen M. Darragh, executive director, and Royal L. Bolling, Sr., for legislation to permit licensed practical nurses to administer approved psychotropic medication to pupils.
01/07/87	S. Referred to the committee on EDUCATION
04/28/87	H. Accompanied H198
H. 198	So Much of the recommendations of the Department of Public Health as relates to administration of psychotropic drugs in public schools.
01/07/87	H. Referred to the committee on EDUCATION
04/28/87	H. Bill reported favorably by committee as changed and referred to the committee on HOUSE WAYS AND MEANS -HJ 431
01/05/88	H. No report from committee
S. 211	Of Royal L. Bolling, Sr., for legislation relative to the membership of the Board of Regents of Higher Education.
01/07/87	S. Referred to the committee on EDUCATION
04/27/87	H. Accompanied H4191
H. 4191	Of William Constantino, Jr., for an investigation by a special commission (including members of the General Court) Relative to the organization and membership requirements of the Board of Regents of Higher Education.
01/12/87	H. Referred to the committee on EDUCATION
04/27/87	H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 403
10/13/87	H. Discharged to the committee on HOUSE RULES -HJ 1427
01/05/88	H. No report from committee

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S. 1244 Of Royal L. Bolling, Sr., for legislation to raise the amount of construction contracts uner which a bidder is exempt from the state finance law.

01/07/87 S. Referred to the committee on STATE ADMINISTRATION
05/05/87 H. Accompanied a study order, see H5435

H. 5435 Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning public construction laws in the Commonwealth.

05/05/87 H. Reported from the committee on STATE ADMINISTRATION
05/05/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 522
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1273
01/05/88 H. No report from committee

S. 1246 Of Royal L. Bolling, Sr., for legislation to establish the Blue Hill regional development corporation.

01/07/87 S. Referred to the committee on STATE ADMINISTRATION
03/05/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 75
01/05/88 S. No report from committee

S. 1247 Of Royal L. Bolling, Sr., for legislation to establish the small contractors' resource program for public construction.

01/07/87 S. Referred to the committee on STATE ADMINISTRATION
05/05/87 H. Accompanied a study order, see H5436

H. 5436 Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning administrative procedures for public construction and conflict of interest and rules and regulations for agencies and boards and various other matters.

05/05/87 H. Reported from the committee on STATE ADMINISTRATION
05/05/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJs 522-523
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1273
01/05/87 H. No report from committee

H. 5460 Bill regulating programs ouside correctional institutions for female inmates.

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05/06/87	H.	Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/06/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 559
01/05/87	H.	No report from committee

S. 1248 Of Royal L. Bolling, Sr., for legislation relative to the identification and indexing public records by state agencies.

01/07/87	S.	Referred to the committee on STATE ADMINISTRATION
06/23/87	S.	Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY -SJ 858
07/01/87	S.	Report accepted -SJ 922

S. 1329 Of Royal L. Bolling, Sr., for legislation to provide that new acquisitions of real property by charitable organizations in any city or town which has more than twenty-five percent or its assessed valuation tax exempt, shall not by tax exempt.

01/07/87	S.	Referred to the committee on TAXATION
04/02/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 161
04/08/87	S.	Report accepted -SJ 206

S. 1320 Of Royal L. Bolling, Sr., for legislation relative to the taxation of public property leased for commercial purposes.

01/07/87	S.	Referred to the committee on TAXATION
05/12/87	H.	Accompanied a study order, see 5493

S. 1317 Of Royal L. Bolling, Sr., for legislation to provide for an annual payment in lieu of taxes by the Massachusetts Turnpike Authority.

01/07/87	S.	Referred to the committee on TAXATION
05/12/87	H.	Accompanied a study order, see H5493

H. 5493 Order relative to authorizing the committee on Taxation to make an investigation and study of certain Senate and House documents concerning reimbursement by the Commonwealth for real estate taxes lost due to exempt property and other related matters.

05/12/87	H.	Reported from the committee on TAXATION
05/12/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJs 606-607
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1275
01/05/88	H.	No report from committee

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S. 1325 Of Royal L. Bolling, Sr., for legislation to authorize tax increment financing of economic development and revitalization projects.

01/07/87 S. Referred to the committee on TAXATION
05/27/87 H. Accompanied H2667

H. 2667 Of John H. Flood and other members of the General Court for legislation to authorize tax increment financing of economic development and revitalization projects.

01/08/87 H. Referred to the committee on TAXATION
05/27/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 815
01/05/88 H. No report from committee

S. 1310 Of Royal L. Bolling, Sr., for legislation relative to the taxation of public utilities' rights of way.

01/07/87 S. Referred to the committee on TAXATION
04/02/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 161
04/08/87 S. Report accepted -SJ 206

S. 1309 Of Royal L. Bolling, Sr., for legislation to allow local tax collectors to appoint an assistant to sign instruments of taking of title for non-payment of taxes.

01/07/87 S. Referred to the committee on TAXATION
04/02/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 161
04/08/87 S. Report accepted -SJ 206

S. 1334 Of Royal L. Bolling, Sr., for legislation to provide an income tax credit for families caring at home for relatives who are elderly or victims of Alzheimer's disease.

01/07/87 S. Referred to the committee on TAXATION
05/19/87 S. Accompanied a new draft, see S1874 -SJ 549

S. 1874 Bill to provide a tax exemption for families caring for their elderly relatives at home.

05/19/87 S. Reported from the committee on TAXATION
05/19/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 549
01/05/88 S. No report from committee

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S. 1326 Of Royal L. Bolling, Sr., for legislation to provide increased state marketing support to regional tourist councils by the imposition of a room occupancy excise tax.

01/07/87 S. Referred to the committee on TAXATION
03/31/87 H. Accompanied H3614

S. 1322 Of Royal L. Bolling, Sr., for legislation to increase the funding for tourist promotion through utilization of the tax on hotel rooms.

01/07/87 S. Referred to the committee on TAXATION
03/31/87 H. Accompanied H3614

S. 3614 Of Peter B. Morin that lodging accommodations offered to certain homeless persons be exempt from the room occupancy tax.

01/08/87 H. Referred to the committee on TAXATION
03/31/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 245
01/05/88 H. No report from committee

S. 1333 Of Royal L. Bolling, Sr., for legislation relative to sharing lottery revenues.

01/07/87 S. Referred to the committee on TAXATION
05/11/87 H. Accompanied a study resolve, see H5487

S. 1332 Of Royal L. Bolling, Sr., for legislation to equitably distribute lottery revenues.

01/07/87 S. Referred to the committee on TAXATION
05/11/87 H. Accompanied a study resolve, see H5487

S. 1327 Of Royal L. Bolling, Sr., for legislation to increase the amount of local aid available for distribution to cities and towns.

01/07/87 S. Referred to the committee on TAXATION
05/11/87 H. Accompanied a study resolve, see H5487

S. 1323 Of Royal L. Bolling, Sr., for legislation that cities and and twons be reimbursed by the Commonwealth for tax exempt property in such cities or towns.

01/07/87 S. Referred to the committee on TAXATION
05/11/87 H. Accompanied a study resolve, see H5487

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S. 1321 Of Royal L. Bolling, Sr., for legislation relative to the method of reimbursing cities and towns for services provided to state facilities.

01/07/87 S. Referred to the committee on TAXATION
05/11/87 H. Accompanied a study resolve, see H5487

S. 1316 Of Royal L. Bolling, Sr., for legislation relative to the distribution of lottery revenues.

01/07/87 S. Referred to the committee on TAXATION
05/11/87 H. Accompanied a study resolve, see H5487

S. 1314 Of Royal L. Bolling, Sr., for legislation relative to reimbursements for taxes lost from certain state owned properties.

01/07/87 S. Referred to the committee on TAXATION
05/11/87 H. Accompanied a study resolve, see H5487

S. 1312 Of Royal L. Bolling, Sr., for legislation relative to the distribution of local aid revenues.

01/07/87 S. Referred to the committee on TAXATION
05/11/87 H. Accompanied a study resolve, see H5487

H. 5487 Resolve increasing the scope of the special commission on the current local aid distribution formula.

05/11/87 H. Reported from the committee on TAXATION
05/11/87 H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJs 594-595
10/13/87 H. Discharged to the committee on HOUSE RULES -HJ 1427
01/05/88 H. No report from committee

S. 1319 Of Royal L. Bolling, Sr., for legislation to provide for a more equitable reimbursement to the city of Boston for loss of taxes due to Government Center.

01/07/87 S. Referred to the committee on TAXATION
05/18/87 S. Accompanied S1318 -SJ 530

S. 1318 Of Royal L. Bolling, Sr., for legislation to provide for a more equitable reimbursement to the city of Boston for loss of taxes due to Government Center and the state transportation building.

01/07/87 S. Referred to the committee on TAXATION
05/18/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 530

S. 1917 Of Royal L. Bolling, Sr., for legislation to further regulate the retirement rights of Carrol Allston of Boston.

02/05/87 S. Referred to the committee on JOINT RULES -SJ
06/08/87 S. Referred to the committee on PUBLIC SERVICE -SJ 684
06/23/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 855
01/05/88 S. No report from committee

H. 2970 Of Kevin W. Fitzgerald, Royal L. Bolling, Sr., Frederick E. Berry, William R. Keating, Nicholas J. Costello and John E. McDonough for legislation to establish an Hispanic youth task force in the Department of Youth Services.

01/08/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS.
05/06/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 55
01/05/88 H. No report from committee

S. 1493 Of Royal L. Bolling, Sr., for legislation on relative to the use and repair of certain public ways.

01/07/87 S. Referred to the committee on TRANSPORTATION
04/29/87 H. Accompanied a study order, see H5380

H. 5380 Order relative to authorizing the committee on Transportation to make an investigation and study of certain Senate and House documents concerning the Department of Public Works and other related matters.

04/29/87 H. Reported from the committee on TRANSPORTATION
04/29/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 457
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1272
01/05/88 H. No report from committee

H. 3952 Of Kevin P. Blanchette, Royal L. Bolling, Sr., Michael W. Morrissey, Joseph B. McIntyre and Henri S. Rauschenbach for legislation to permit negotiation of health and welfare plans for municipal employees.

01/12/87 H. Referred to the committee on PUBLIC SERVICE
03/26/87 H. Accompanied a new draft, see H5216

H. 5216 Bill to permit negotiation of health and welfare trust fund agreements for certain municipal employees.

03/26/87 H. Reported from the committee on PUBLIC SERVICE

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03/26/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE COUNTIES -HJ 198
05/11/87	S.	Read; and referred to the committee on SENATE COUNTIES -SJ 474
05/19/87	S.	Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 548
01/05/88	S.	No further action taken

H. 3172 Of Mary Jane Gibson, other members of the General Court and others for legislation to prohibit discrimination relative to insurance contracts.

01/08/87	H.	Referred to the committee on INSURANCE
05/18/87	H.	Accompanied a new draft, see H5531

H. 5531 Bill prohibiting discrimination with respect to newly issued insurance contracts.

05/18/87	H.	Reported from the committee on INSURANCE
05/18/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 732
01/05/88	H.	No report from committee

S. 209 Of Royal L. Bolling, Sr., Richard A. Kraus, Frederick E. Berry, Stephen W. Doran, Argeo Paul Cellucci, William B. Golden, Joseph M. Connolly and Robert C. Buell for legislation to increase certain support services for minority students attending certain public institutions of higher education.

01/07/87	S.	Referred to the committee on EDUCATION
05/07/87	H.	Accompanied a study resolve, see H5470

H. 5470 Resolve providing for an investigation and study by the Board of Regents relative to student assistance programs.

05/07/87	H.	Reported from the committee on EDUCATION
05/07/87	H.	Resolve reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 579
01/05/88	H.	No further report from committee

S. 570 Of Royal L. Bolling, Sr., Frederick E. Berry, Carol C. Amick, Argeo Paul Cellucci and William B. Golden for legislation relative to the introduction of private industry into a certain state correctional facility.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87	S.	Accompanied a new draft, see S1847 -SJ 496

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S. 1847 Bill relative to the introduction of private industry into certain state correctional facility.

05/13/87 S. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 496
01/05/88 S. No report from committee

S. 313 Of Royal L. Bolling, Sr., for legislation to establish the gathering of ethnic and racial information as part of the state decennial census.

01/07/87 S. Referred to the committee on ELECTION LAWS
03/19/87 S. Bill reported favorably by committee and referred to the committee on SENATE STEERING AND POLICY -SJ 363
01/05/88 S. No further action taken

H. 3049 Of Kevin W. Fitzgerald, Royal L. Bolling, Sr., and John E. McDonough for legislation to establish offices for cultural and linguistic minority affairs in certain state departments.

01/08/87 H. Referred to the committee on STATE ADMINISTRATION
05/05/87 H. Accompanied H2854

S. 1249 Of Royal L. Bolling, Sr., for legislation to authorize state licensing authorities to view an applicant's past and present practices with regard to the hiring of women, minorities, handicapped persons and Vietnam era veterans.

01/07/87 S. Referred to the committee on STATE ADMINISTRATION
05/05/87 H. Accompanied H2854

H. 2854 Of Joseph N. Hermann and other members of the House for legislation to improve the administration of certain agencies and standards of the Commonwealth.

01/08/87 H. Referred to the committee on STATE ADMINISTRATION
05/05/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 524
01/05/88 H. No report from committee

S.	243	Of William B. Golden, Mary Jeanette Murray, Barbara Hildt, Michael H. Barrett, Frank M. Hynes, Michael W. Morrissey and Royal L. Bolling, Sr., for legislation to establish an urban harbors and coastline institute at the University of Massachusetts, Boston.
01/07/87	S.	Referred to the committee on EDUCATION
05/07/87	H.	Accompanied a study order, see H5471
S.	213	Of Royal L. Bolling, Sr., for legislation to establish a literacy training, research and development center at Roxbury Community College.
01/07/87	S.	Referred to the committee on EDUCATION
05/07/87	H.	Accompanied a study order, see H5471
H.	208	Of Royal L. Bolling, Sr., for legislation to authorize the expansion of the center of excellence program.
01/07/87	S.	Referred to the committee on EDUCATION
05/07/87	H.	Accompanied a study order, see H5471
H.	5471	Resolve providing for an investigation and study by the Board of Regents relative to higher education programs.
05/07/87	H.	Reported from the committee on EDUCATION
05/07/87	H.	Resolve reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 579
01/05/88	H.	No report from committee
S.	214	Of Royal L. Bolling, Sr., for legislation to establish an institute for community analysis and development at Roxbury Community College.
01/07/87	S.	Referred to the committee on EDUCATION
05/07/87	H.	Accompanied a study order, see H5471
S.	311	Of Royal L. Bolling, Sr., for a legislative amendment to the Constitution to abolish the requirement of a state census.
01/07/87	S.	Referred to the committee on ELECTION LAWS
03/23/87	S.	Proposal reported favorably by committee on placed on file -SJ 121
03/23/87	H.	Proposal reported favorably by committee and placed on file -HJ 171
S.	312	Of Royal L. Bolling, Sr., for legislation relative to voter registration.

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01/07/87	S.	Referred to thec committee on ELECTION LAWS
05/11/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 468
01/05/88	S.	No report from committee

S. 350 Of Royal L. Bolling, Sr., for legislation to remove Massachusetts mobile radio telephone one-way or two-way service from the jurisdiction of the Department of Public Utilities.

01/07/87	S.	Referred to the committee on GOVERNMENT REGULATIONS
01/04/88	S.	Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY
01/05/88	S.	No further action taken

S. 441 Of Royal L. Bolling, Sr., for legislation to require medical service corporations to contract with all licensed health care providers.

01/07/87	S.	Referred to the committee on HEALTH CARE
04/27/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 310
05/05/87	S.	Report accepted -SJs 422-423

S. 442 Of Royal L. Bolling, Sr., for legislation relative to prescription drug education and the filling of prescription drugs.

01/07/87	S.	Referred to the committee on HEALTH CARE
04/27/87	S.	Accompanied a new draft, see S1750 -SJ 308

S. 1750 Bill relative to prescription drug education and the filling of prescription drugs.

04/27/87	S.	Reported from the committee on HEALTH CARE
04/27/87	S.	Bill reported favorably by committee and referred to the committee on SENATE STEERING AND POLICY -SJ 308
01/05/87	S.	No further action taken

S. 450 Of Edward L. Burke, Argeo Paul Cellucci, William B. Golden, William R. Keating, Royal L. Bolling, Sr., Salvatore R. Albano and other members of the General Court for legislation to provide for educational standards for midwives.

01/07/87	S.	Referred to the committee on HEALTH CARE
03/05/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 75
01/05/88	S.	No report from committee

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(CONTINUE PAGE EIGHTEEN)

S.	568	Of Royal L. Bolling, Sr., Frederick E. Berry, Argeo Paul Cellucci and William B. Golden for legislation to provide for a prison reclassification interpreter to non-English speaking person.
01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/02/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 158
01/05/88	S.	No report from committee
S.	567	Of Royal L. Bolling, sr., Kevin W. Fitzgerald and John E. McDonough for legislation to provide mental health care services to certain refugees from El Salvador, Guatemala and Honduras.
01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87	S.	Accompanied a new draft, see S1846 -SJ 495
S.	566	Of Royal L. Bolling, Sr., Kevin W. Fitzgerald and John E. McDonough for legislation to provide services to certain refugees from El Salvador, Guatemala and Honduras.
01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87	S.	Accompanied a new draft, see S1846 -SJ 495
H.	4835	Of Kevin W. Fitzgerald, Royal L. Bolling, Sr., and John E. McDonough relative to requiring minority participation in certain contracts of the Executive Office of Human Services.
01/12/87	H.	Referred to the committee on JUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87	S.	Accompanied a new draft, see S1846 -SJ 495
S.	1846	Bill providing for services to certain refugees.
05/13/87	S.	Reported from the committee on JUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 495
12/28/87	S.	Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY
01/05/88	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1923
01/05/88	H.	Reported, but no further action taken

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(CONTINUE PAGE NINETEEN)

S. 461 Of Edward L. Burke, Patricia G. Fiero, David P. Magnani, Helene Wektzenhorn and Royal L. Bolling, Sr., for legislation relative to the offering of information on the health advantages of breastfeeding.

01/07/87 S. Referred to the committee on HEALTH CARE
03/12/87 S. Accompanied a new draft, see S1660 -SJ 93

S. 1660 Bill to promote maternal and infant health.

03/12/87 S. Reported from the committee on HEALTH CARE
03/12/87 S. Bill reported favorably by committee and referred to the committee on SENATE STEERING AND POLICY -SJ 93
06/08/87 S. Referred to the committee on SENATE WAYS AND MEANS
01/05/88 S. No report from committee

S. 544 Of Peter C. Webber, Royal L. Bolling, Sr., Salvatore R. Albano, John Patrick Houston, John W. Olver and Richard A. Kraus for legisation to establish a housing trust fund within the Executive Office of Communities and Development.

01/07/87 S. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
01/04/88 S. Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY
01/05/88 S. No furhter action taken

S. 215 Of Royal L. Bolling, Sr., for legislation to establish the position of voter registration specialist in the public schools of the Commonwealth.

01/07/87 S. Referred to the committee on EDUCATION
04/28/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 318
05/05/87 S. Report accepted -SJ 422

S. 743 Of Frederick E. Berry, Royal L. Bolling, Sr., Barbara E. Gray, Raymond A. Jordan, Jr., Susan D. Schur and Frances F. Alexander for legislation to amend the Massachusetts Civil Rights Act.

01/07/87 S. Referred to the committee on THE JUDICIARY
04/28/87 S. Bill reported favorably by committee and referred to the committee on SENATE STEERING AND POLICY -SJ 317
01/05/88 S. No further action taken

S. 572 Of Royal L. Bolling, Sr., that provision be made for an investigation and study by a special commission (including members of the General Court) relative to the merits of private as opposed to public prisons.

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(CONTINUE PAGE TWENTY)

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87	S.	Accompanied a study resolve, see S1841 -SJ 493

S. 1841 Resolve providing for an investigation and study by a special commission relative to the merits of private as opposed to public prisons.

05/13/87	S.	Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87	S.	Resolve reported favorably by committee and referred to the committee on JOINT RULES -SJ 493
06/04/87	S.	Discharged to the committee on SENATE RULES -SJ 157

S. 571 Of Royal L. Bolling, Sr., for legislation to require certain private human service agencies to document their ability to perform certain services to certain minority, ethnic, racial or linguistic communities.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
03/18/87	S.	Accompanied S565 -SJ 107

S. 565 Of Royal L. Bolling, Sr., Kevin W. Fitzgerald, William R. Keating and Nicholas J. Costello for legislation to require certain private human service agencies to document their ability to perform certain services to certain minority, ethnic, racial or linguistic communities.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
03/18/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 107
01/05/88	S.	No report from committee

S. 574 Of Royal L. Bolling, Sr., for legislation to prohibit placement of children on adult wards of mental institutions.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/06/87	H.	Accompanied a new draft, see H5463

H. 5463 Bill to assure appropriate mental health and mental retardation services for children.

05/06/87	H.	Reported from the committee on JUMAN SERVICES AD ELDERLY AFFAIRS
05/06/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 559
01/05/88	H.	No report from committee

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE TWENTY-ONE)

S. 750 Of Royal L. Bolling, Sr., for legislation relative to liability for injuries sustained to person or property on park roads or in access areas to any public building.

01/07/87 S. Referred to the committee on THE JUDICIARY
04/28/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 319
05/06/87 S. Report accepted -SJ 443

S. 798 Of William R. Keating and Royal L. Bolling, Sr., for legislation to limit the liability of public employees acting in commection with a municipally-owned or operated hospital.

01/07/87 S. Referred to the committee on THE JUDICIARY
05/04/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 376
05/06/87 S. Report accepted -SJ 443

S. 460 Of Edward L. Burke, Mary L. Padula, Royal L. Bolling, Sr., and Francis D. Doris for legislation to provide medical assistance to needy elders.

01/07/87 S. Referred to the committee on HEALTH CARE
04/07/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 180
01/05/88 S. No report from committee

S, 751 Of Royal L. Bolling, Sr., for legislation to provide for legal representation to persons seeking political asylum in the United States.

01/07/87 S. Referred to the committee on THE JUDICIARY
04/28/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 319
05/06/87 S. Report accepted -SJ 443

S. 1315 Of Royal L. Bolling, Sr., for legislation relative to the assessment levied on machinery employed in the transportation and carriage of goods.

01/07/87 S. Referred to the committee on TAXATION
04/02/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 161
04/08/87 S. Report accepted -SJ 206

S. 753 Of Royal L. Bolling, Sr., Salvatore R. Albano, Linda J. Melconian, Frederick E. Berry and other members of the General Court for legislation to further define procedures for preventing domestic abuse.

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01/07/87	S.	Referred to the committee on THE JUDICIARY
05/04/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 375
05/06/87	S.	Report accepted -SJ 443

S. 848 Of Michael Lopresti, Jr., Salvatore R. Albano, Royal L. Bolling, Sr., and Arthur Joseph Lewis, Jr., for legislation to improve the protection and care of children.

01/07/87	S.	Referred to the committee on THE JUDICIARY
05/14/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 521
01/05/88	S.	No report from committee

S. 1085 Of Royal L. Bolling, Sr., Argeo Paul Cellucci, Martin T. Reilly, Paul D. Harold and other members of the Senate for legislation relative to the sale of machine gun conversion kits.

01/07/87	S.	Referred to the committee on PUBLIC SAFETY
06/23/87	S.	Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY -SJ 857
07/01/87	S.	Report accepted -SJ 927

S. 1087 Of Royal L. Bolling, Sr., for legislation to establish a community guard corps in the Department of Public Safety.

01/07/87	S.	Referred to the committee on PUBLIC SAFETY
03/05/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 76
04/07/87	S.	Report accepted -SJ 191

S. 1086 Of Royal L. Bolling, Sr., for legislation that certain municipal police departments be required to submit annual reports to the Governor of the Commonwealth detailing the use of employees of such departments during the preceding year.

01/07/87	S.	Referred to the committee on PUBLIC SAFETY
03/05/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 76
04/07/87	S.	Report accepted -SJ 191

S. 1089 Of Royal L. Bolling, Sr., for legislation to further regulate the use of state and regional facilities.

01/07/87	S.	Referred to the committee onPUBLIC SAFETY
03/26/87	S.	Discharged to the committee on LOCAL AFFARIS -SJ 135
05/04/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 377
05/11/87	S.	Report accepted -SJ 481

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(CONTINUE PAGE TWENTY-THREE)

S. 1088 Of Royal L. Bolling, Sr., for legislation to direct the Registry of Motor Vehicles to establish a local office in the Mattapan section of the city of Boston.

01/07/87 S. Referred to the committee on PUBLIC SAFETY
04/21/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 277
04/28/87 S. Report accepted -SJ 335

S. 1154 Of Salvatore R. Albano, Angelo Cataldo, Arthur Joseph Lewis, J and Royal L. Bolling, Sr., for legislation relative to reimbursement of Metropolitan District Police officers for injuries suffered in the line of duty.

01/07/87 S. Referred to the committee on PUBLIC SERVICE
04/23/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 295
05/04/87 S. Report accepted -SJ 386

S. 1165 Of Royal L. Bolling, Sr., and Frederick E. Berry for legislation relative to the appointment of police cadets in cities and towns pursuant to court orders, consent decrees and affirmative action plans.

01/07/87 S. Referred to the committee on PUBLIC SERVICE
04/29/87 S. Accompanied a new draft, see S1777 -SJ 359

S. 1777 Bill further regulating police cadet forces.

04/29/87 S. Reported from the committee on PUBLIC SERVICE
04/29/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 359
01/05/88 S. No report from committee

S. 1166 Of Royal L. Bolling, Sr., for legislation to authorize the creation of the position of Lieutenant in the Capitol Police.

01/07/87 S. Referred to the committee on PUBLIC SERVICE
06/23/87 S. Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY -SJ 858
07/01/87 S. Report accepted -SJ 921

S. 1168 Of Royal L. Bolling, Sr., for legislation to allow members of certain police departments be placed in the appropriate pay step which coincides with the number of years previously served as a police officer, upon transfer or reinstatement, to the Capitol Police Department.

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(CONTINUE PAGE TWENTY-FOUR)

01/07/87	S.	Referred to the committee on PUBLIC SERVICE
06/23/87	S.	Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY -SJ 858
07/01/87	S.	Report accepted -SJ 921

S. 1167 Of Royal L. Bolling, Sr., for legislation to provide retirement benefits for employees working at day care facilities at state and community colleges.

01/07/87	S.	Referred to the committee on PUBLIC SERVICE
05/07/87	H.	Accompanied a study order, see H5473

H. 5473 Order relative to increasing the scope of the joint special committee established to make an investigation and study of the public employees contributory retirement law to include the subject-matter of various current Senate and House documents.

05/07/87	H.	Reported from the committee on PUBLIC SERVICE
05/07/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 579
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1274
01/05/88	H.	No report from committee

S. 1171 Of Royal L. Bolling, Sr., for legislation relative to the pension benefits payable to Lee J. Martin by the state retirement system.

01/07/87	S.	Referred to the committee on PUBLIC SERVICE
04/23/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 293
01/05/88	S.	No report from committee

S. 754 Of Royal L. Bolling, Sr., for legislation to require district attorneys to report certain racial and ethnic data.

01/07/87	S.	Referred to the committee on THE JUDICIARY
06/02/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 639
06/10/87	S.	Report accepted -SJ 699

S. 1169 Of Royal L. Bolling, Sr., for legislation to provide certain retirement benefits for Ricardo Sultis, a police officer of the Metropolitan District Commission.

01/07/87	S.	Referred to the committee on PUBLIC SERVICE
04/23/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 293
01/05/88	S.	No report from committee

SENATOR ROYAL L. BOLLING, SR.
(CONTINUE PAGE TWENTY-FIVE)

S. 1170 Of Kathleen Kelley and Royal L. Bolling, Sr., for legislation to provide for the continuation of the terms and conditions of a collective bargaining agreement during the period of its renegotiation.

01/07/87 S. Referred to the committee on PUBLIC SERVICE
03/23/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 121
01/05/88 S. No report from committee

S. 1173 Of Royal L. Bolling, Sr., for legislation to provide for the payment of interest on monies owned to certain state employees.

01/07/87 S. Referred to the committee on PUBLIC SERVICE
04/28/87 S. Accompanied a new draft, see S1765 -SJ 316

S. 1765 Bill providing for interest penalties on certain payments due employees of the Commonwealth.

04/28/87 S. Reported from the committee on PUBLIC SERVICE
04/28/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 316
01/05/88 S. No report from committee

S. 1174 Of Royal L. Bolling, Sr., for legislation relative to the rights to labor list employees.

01/07/87 S. Referred to the committee on PUBLIC SERVICE
03/16/87 H. Accompanied H1739

H. 1739 Of Kevin P Blanchette that certain provisional employees of the Commonwealth be made eligible for civil service examinations.

01/07/87 H. Referred to the committee on PUBLIC SERVICE
03/16/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 146
06/04/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 659
01/05/88 S. No report from committee

S. 1192 Of William R. Keating and Royal L. Bolling, Sr., for legislation to allow direct payment of certain investments by educational employees.

01/07/87 S. Referred to the committee on PUBLIC SERVICE
06/16/87 H. Accompanied a new draft, see H5741

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(CONTINUE PAGE TWENTY-SIX)

H. 5741 Bill further regulating the purchase of certain annuity contracts by employees of the institutions within the system of higher education.

06/16/87 H. Reported from the committee on PUBLIC SERVICE
06/16/87 H. Bill reported favorably by committee and referred to the committee on HOUSE COUNTIES -HJ 966
11/12/87 H. Committee recommended ought to pass and referred to the committee on HOUSE WAYS AND MEANS -HJ 1572
01/05/88 H. No report from committee

S. 1243 Of Royal L. Bolling, Sr., Kevin W. Fitzgerald, John P. Burke and John E. McDonough for legislation relative to the identification and indexing of public records by state agencies.

01/07/87 S. Referred to the committee on STATE ADMINISTRATION
06/23/87 S. Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY -SJ 858
07/01/87 S. Report accepted -SJs 921-922

S. 2 Of Royal L. Bolling, Sr., for legiskation to provide for "Life-Line" banking services.

01/07/87 S. Referred to the committee on BANKS AND BANKING
05/05/87 S. Accompanied a study order, see S1792 -SJ 406

S. 1792 Order relative to authorizing the Joint Committee on Banks and Banking to sit during the recess of the General Court for the purpose of making an investigation and study of the subject matter of current Senate document numbered 2 and current House documents numbered 885, 887, 2475, 2685,2896,2476 and 3254, relative to life-line banking accounts and accounting fees.

05/05/87 S. Reported from the committee on BANKS AND BANKING
05/05/87 S. Order reported favorably by committee and referred to the committee on JOINT RULES -SJ 406
05/13/87 S. Discharged to the committee on SENATE RULES -SJ 49
01/05/88 S. No report from committee

H. 2925 Of Kevin W. Fitzgerald, Royal L. Bolling, Sr., John P. Burke, Frederick E. Berry, William R. Keating, and John E. McDonough for an investigation and study by the Massachusetts Department of Education relative to the drop out rate of students in the Commonwealth.

01/08/87 H. Referred to the committee on EDUCATION
05/26/87 S. Accompanied a study resolve, see S1885 -SJ 582

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(CONTINUE PAGE TWENTY-SEVEN)

S. 1885 Resolve increasing the scope of the special commission relative to REACH and school improvement councils.

05/26/87 S. Reported from the committee on EDUCATION
05/26/87 S. Resolve reported favorably by committee and referred to the committee on JOINT RULES -SJ 582
06/04/87 S. Discharged to the committee on SENATE RULES -SJ 657
01/05/88 S. No report from committee

S. 1692 Of the National Association of Government Employees, by Kenneth R. Lyons, president, and Royal L. Bolling, Sr., for legislation to terminate certain accounts for temporary state employment.

03/26/87 S. Referred to the committee on JOINT RULES -SJ 136
03/30/87 S. Referred to the committee on PUBLIC SERVICE -155
01/04/88 S. Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY
01/05/88 S. No further action taken

S. 1523 Of Royal L. Bolling, Sr., that provision be made for the payment of a sum of money from the State Treasury to Lawyer Johnson.

01/07/87 S. Referred to the committee on SENATE WAYS AND MEANS
01/05/88 S. No report from committee

S. 1687 Of Royal L. Bolling, Sr., that provision be made for the payment of a sum of money from the State Treasury to Peter C. Vaughn.

03/18/87 S. Referred to the committee on JOINT RULES -SJ 108
03/26/87 S. Referred to the committee on SENATE WAYS AND MEANS
01/05/88 S. No report from committee

S. 1494 Of Royal L. Bolling, Sr., William Q. MacLean, Jr., Frederick E. Berry, Carol C. Amick and William B. Golden for legislation relative to the placement of signs in spanish on certain property of the Massachusetts Bay Transportation Authority.

01/07/87 S. Referred to the committee on TRANSPORTATION
03/05/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJs 76-7
04/13/87 S. Report accepted -SJs 244-245

S. 61 Of Royal L. Bolling, Sr., that provision be made to revive and continue the special committee of the Senate relative to advancing foreign trade with the various developing countries.

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(CONTINUE PAGE TWENTY-EIGHT)

01/20/87	S. Referred to the committee on SENATE RULES -SJ 10
01/05/88	S. No report from committee

S. 1434 Of John W. Olver, Richard A. Kraus, Royal L. Bolling, Sr., William R. Keating, and other members of the General Court for legislation to provide property tax relief for low-income persons.

01/07/87	S. Referred to the committee on TAXATION
10/27/87	H. Accompanied a new draft, see H6160

H. 6160 Bill providing for tax relief for homeowners and tenants.

10/27/87	H. Reported from the committee on TAXATION
10/27/87	H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1500

S. 1495 Of Royal L. Bolling, Sr., for legislation to authorize cost free passes to travel on the Massachusetts Bay Transportation Authority for certain persons.

01/07/87	S. Referred to the committee on TRANSPORTATION
04/29/87	H. Accompanied a study order, see H5379

S. 1492 Of Royal L. Bolling, Sr., for legislation relative to the assessments of the various cities and towns of the Massachusetts Bay Transportation Authority.

01/07/87	S. Referred to the committee on TRANSPORTATION
04/29/87	H. Accompanied a study order, see H5379

H. 5379 Order relative to authorizing the committee on Transportation to make an investigation and study of certain Senate and House documents concerning the Massachusetts Bay Transportation Authority and other related matters.

04/29/87	H. Reported from the committee on TRANSPORTATION
04/29/87	H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 457
09/10/87	H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1272
01/05/88	H. No report from committee

S. 450 Of Edward L. Burke, Argeo Paul Cellucci, William B. Golden, William R. Keating, Royal L. Bolling, Sr., Salvatore R. Albano and other members of the General Court for legislation to provide for educational standards for midwives.

01/07/87	S. Referred to the committee on HEALTH CARE

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03/05/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 75
01/05/88	S.	No report from committee

S. 743	Of Frederick E. Berry, Royal L. Bolling, Sr., Barbara E. Gray, Raymond A. Jordan, Jr., Susan D. Schur and Frances F. Alexander for legislation to amend the Massachusetts Civil Rights Act.

01/07/87	S.	Referred to the committee on THE JUDICIARY
04/28/87	S.	Bill reported favorably by committee and referred to the committee on SENATE STEERING AND POLICY -SJ 317
01/05/88	S.	No further action taken

S. 1313	Of Royal L. Bolling, Sr., for legislation relative to costs in certain appeals from local assessments.

01/07/87	S.	Referred to the committee on TAXATION
05/18/87	S.	Accompanied S1440 -SJ 531

S. 1440	Of John W. Olver and Charles F. Flaherty for legislation to regulate the professional qualifications of the members of the Appellate Tax Board and the procedures of said board.

01/07/87	S.	Referred to the committee on TAXATION
05/18/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 531
12/23/87	S.	Referred to the committee on SENATE STEERING AND POLICY
12/28/87	S.	New draft substituted, see S2167 -SJ 1742

S. 2167	Bill amending the property tax abatement appeals to county commissioners.

12/23/87	S.	Reported from the committee on SENATE WAYS AND MEANS
12/23/87	S.	Referred to the committee on SENATE STEERING AND POLICY
01/05/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1926
01/05/88	H.	No report from committee

LEGISLATION SPONSORED
BY
REPRESENTATIVE GLORIA FOX

REPRESENTATIVE GLORIA L. FOX

S. 284 PETITION

Of John W. Olver, Gloria L. Fox, Richard A. Kraus, Eleanor Myerson, Patricia G. Fiero, Joseph K. Mackey, Barbara E. Gray and Mary Jane Gibson for legislation to provide day care facilities at public institutions of higher education.

01/07/87 S. Referred to the committee on EDUCATION
04/28/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 315
01/05/88 S. No report from committee

S. 1498 Of Patricia G. Fiero, John C. Bradford, Gloria L. Fox and Henry Youra for legislation to provide reduced fares on the Massachusetts Bay Transportation Authority for persons sixty-five years of age and older.

01/07/87 S. Referred to the committee on TRANSPORTATION
04/21/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 275
01/05/88 S. No report from committee

H. 4849 Of Gloria L. Fox relative to the creation and development of an adult employment and training program.

01/12/87 H. Referred to the committee on COMMERCE AND LABOR
06/18/87 H. Accompanied a new draft, see H5755

H. 5755 Bill relative to employment and rraining in the Commonwealth.

06/18/87 H. Reported from the committee on COMMERCE AND LABOR
06/18/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 981

H. 3393 Of Gloria L. Fox and Kevin G. Honan relative to the taxation of public land leased for commercial purposes.

01/08/87 H. Referred to the committee on TAXATION
05/12/87 H. Accomapnied a study order, see H5493

H. 5493 Order relative to authorizing the committee on Taxation to make an investigation and study of certain Senate and House documents concerning reimbursement by the Commonwealth for real estate taxes lost due to exempt property and other related matters.

05/12/87 H. Reported from the committee on TAXATION

REPRESENTATIVE GLORIA L. FOX
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05/12/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJs 606-607
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1275

H. 2336 Of the Massachusetts League of Community Health Centers, W. Paul White, John E. McDonough, James T. Brett, Gloria L. Fox and Kevin W. Fitzgerald relative to defining clinical laboratories maintained by community health centers.

01/08/87	H.	Referred to the committee on HEALTH CARE
10/14/87	H.	Bills in the Third Reading new draft substituted, see H6107 -HJ 1443

H. 6107 Bill further defining clinical laboratories

10/14/87	H.	Reported from the committee on HOUSE BILLS IN THE THIRD READING
11/10/87	H.	Substituted by H6213, printed as amended -HJ 1566

H. 6213 Bill further regulating clinical laboratories [printed as amended by the House on Nov. 10].

11/10/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1429
01/05/88	S.	No further report from committee

H. 2337 Of the Massachusetts League of Community Health Centers, W. Paul White, John E. McDonough, James T. Brett, Gloria L. Fox and Kevin W. Fitzgerald relative to assisting community health centers delivering services to uninsured persons.

01/08/87	H.	Referred to the committee on HEALTH CARE
08/10/87	H.	Accompanied a new draft, see H5968

H. 5968 Bill relative to health care financing and delivery reform.

08/10/87	H.	Reported from the committee on HEALTH CARE
08/10/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1242

H. 1945 Of Salvatore F. DiMasi, Richard J. Rouse and Gloria L. Fox relative to the equal educational opportunities grant programs.

01/08/87	H.	Referred to the committee on EDUCATION
08/06/87	H.	Accompanied a study resolve, see H5963

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H. 5963 Resolve increasing the scope of the special commission established to make an investigation and study relative to the condition of teaching in the Commonwealth.

08/06/87	H. Reported from the committee on EDUCATION
08/06/87	H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 1237
10/13/87	H. Discharged to the committee on HOUSE RULES -HJ 1428

H. 2717 Of Gloria L. Fox, Richard J. Rouse, Emanuel G. Serra, Kevin G. Honan, W. Paul White and Shirley Owens-Hicks relative to school building assistance concerning an athletic facility in the city of Boston.

01/08/87	H. Referred to the committee on EDUCATION
05/26/87	H. Bill reported favorably by committee as changed and referred to the committee on HOUSE WAYS AND MEANS -HJ 783

H. 2840 Of Kevin W. Fitzgerald, William R. Keating, Kevin G. Honan, Gloria L. Fox, Shirley Owens-Hicks and Salvatore F. DiMasi for legislation to revise the basis for exemption from the jurisdiction of the Designer Selection Board.

01/08/87	H. Referred to the committee on STATE ADMINISTRATION
05/05/87	H. Accompanied a study order, see H5435

H. 5435 Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning public construction laws in the Commonwealth.

05/05/87	H. Reported from the committee on STATE ADMINISTRATION
05/05/87	H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 522
09/10/87	H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1273

H. 1633 Of Gloria L. Fox and other members of the House for legislation to establish a minority business development fund.

01/07/87	H. Referred to the committee on COMMERCE AND LABOR
05/19/87	H. Accompanied a study order, see H5535

H. 5535 Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning business laws in the Commonwealth and other related matters.

05/19/87	H. Reported from the committee on COMMERCE AND LABOR

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05/19/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 739
07/07/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1114
12/22/87	H.	Reported (in part) by H5365 -HJ 1844

H. 4673 Of Gloria L. Fox and other members of the House that the Department of Education be directed to establish a comprehensive education and employment training program for certain adults.

01/12/87	H.	Referred to the committee on EDUCATION
05/11/87	H.	Discharged to the committee on HOUSE WAYS AND MEANS -HJ 590
05/13/87	S.	Senate concurred -SJ 502

H. 1677 Of Gloria L. Fox and other members of the House for legislation to establish neighborhood authorities in certain cities.

01/07/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
07/06/87	H.	Ought NOT to pass (under Joint Rule 10) and placed in the Orders of the Day for the next session -HJ 1093
07/13/87	H.	Report accepted -HJ 1158

H. 1670 Of Gloria L. Fox, other members of the House and another for legislation to authorize qualified independent clinical social workers to perform certain competency evaluations.

01/07/87	H.	Referred to the committee on HEALTH CARE
03/05/87	H.	Discharged to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS -HJ 99
06/22/87	H.	Accompanied a new draft, see H5777

H. 1634 Of Gloria L. Fox and other members of the House relative to improving and expanding existing employment programs in order to alleviate unemployment.

01/07/87	H.	Referred to the committee on COMMERCE AND LABOR
06/18/87	H.	Accompanied a new draft, see H5755

H. 5777 Bill authorizing qualified independent clinical social workers to perform certain evaluations.

06/22/87	H.	Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
06/25/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 882

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01/05/88	S.	No further action taken
H. 1773		Of Gloria L. Fox and other members of the House relative to providing for stricter enforcement of the community reinvestment law.
01/07/87	H.	Referred to the committee on BANKS AND BANKING
10/06/87	H.	Report accepted -HJ 1405

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H. 4892 PETITION

Of John A. Businger, Geoffrey C. Beckwith, Patricia G. Fiero, John E. McDonough, Joseph K. Mackey, Augusto F. Grace and Christopher J. Hodgkins for legislation to require certain applications for credit, membership, employment, services and other purposes to carry a notice relative to discrimination.

01/12/87 H. Referred to the committee on COMMERCE AND LABOR
06/02/87 S. Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 640
09/21/87 S. Ordered to a third reading -SJ 1159

H. 3742 Of Joseph K. Mackey and Augusto F. Grace for legislation to establish a separate fund to aid in the apprehension of defaulting criminal defendants.

01/08/87 H. Referred to the committee on THE JUDICIARY
04/15/87 H. Report accepted -HJ 365

S. 505 Of Carol C. Amick and Augusto F. Grace for legislation to provide incentives to cities and towns to encourage the development of low or moderate income housing.

01/07/87 S. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
06/23/87 S. Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY -SJ 855
07/07/87 S. Report accepted -SJ 963

H. 3713 Of Joseph K. Mackey and Augusto F. Grace that provision be made for financial assistance for medical care or services to certain needy children and their families.

01/08/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/21/87 H. Accompanied a new draft, see H5326

H. 5326 Bill establishing the elegibility of certain employed former recipients of AFDC for Medicaid coverage for one year after they stop receiving such AFDC payments.

04/21/87 H. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/21/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 378

REPRESENTATIVE AUGUSTO F. GRACE
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S. 488	Of Michael LoPresti, Jr., Barbara E. Gray, David P. Magnani, Augusto F. Grace, John A. Businger, Geoffrey C. Beckwith and other members of the General Court for legislation relative to a patient's right to certain information prior to certain physician's treatment.
01/07/87	S. Referred to the committee on HEALTH CARE
03/13/87	S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 102
03/30/87	S. Report accepted -SJ 150
H. 3806	Of Joseph K. Mackey and Augusto F. Grace relative to the tax on real estate of certain elderly home owners.
01/08/87	H. Referred to the committee on TAXATION
05/19/87	S. Accompanied S1578 -SJ 549 See Senator Royal Bolling, Sr.
3712	Of Joseph K. Mackey and Augusto F. Grace for legislation to insure an adequate income for needy children and their families.
01/08/87	H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/28/87	H. Accompanied H2190
H. 2190	Of Marjorie A. Clapprood and other members of the House relative to minimally adequate grants for recipients of aid aid to families with dependent children and general relief.
01/08/87	H. Referred to the committee on JUMAN SERVICES AND ELDERLY AFFAIRS
04/28/87	H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 431
H. 1654	Of Augusto F. Grace that provision be made for the Commonwealth to establish a statewide high school for gifted and talented students.
01/07/87	H. Referred to the committee on EDUCATION
04/27/87	H. Accompanied H2505
H. 2505	Of Thomas G. Palumbo for an investigation by a special commission (including members of the General Court) relative to gifted children.
01/08/87	H. Referred to the committee on EDUCATION
04/27/87	H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 403
10/13/87	H. Discharged to the committee on HOUSE RULES -HJ 1426

S. 487 Of Michael LoPresti, Jr., Marjorie A. Clapprood, Barbara E. Gray, Charles F. Flaherty, Paul Kollios, Augusto F. Grace and other members of the General Court for legislation to insure universal howpital care in the Commonwealth.

01/07/87 S. Referred to the committee on HEALTH CARE
08/10/87 H. Accompanied a new draft, see H5968

H. 5968 Bill relative to health care financing and delivery reform.

08/10/87 H. Reported from the committee on HEALTH CARE
08/10/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1242

S. 1490 Of Carol C. Amick, Augusto F. Grace, Stephen W. Doran, John H. Loring, Betsy Anderson and Joseph W. Sweeney for legislation relative to development at Lawrence G. Hanscom Field.

01/07/87 S. Referred to the committee on TRANSPORTATION
04/29/87 H. Referred to the committee on HOUSE WAYS AND MEANS -HJ 464

S. 1302 Of Carol C. Amick, Argeo Paul Cellucci, Lucile P. Hicks, Augusto F. Grace, John H. Loring, Stephen W. Doran, Betsy Anderson and Joseph W. Sweeney for legislation to authorize and direct the Massachusetts Port Authority to make payments in lieu of taxes to the twons of Bedford, Lexington, Concord and Lincoln..

01/07/87 S. Referred to the committee on TAXATION
05/12/87 H. Accompanied a study order, see H5493

H. 5493 Order relative to authorizing the committee on Taxation to make an investigation and study of certain Senate and House documents concerning reimbursement by the Commonwealth for real estate taxes lost due to exempt property and other related matters.

05/12/87 H. Reported from the committee on TAXATION
05/12/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJs 606-607
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1275

S. 1301 Of Carol C. Amick, Mary L. Padula, Augusto F. Grace and Joseph K. Mackey for legislation to provide for a tax exemption on unearned income for elderly persons.

01/07/87 S. Referred to the committee on TAXATION

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05/12/87 H. Accompanied a study resolve, see H5494

H. 5494 Resolve increasing the scope of the special commission established to make an investigation and study relative to all state, local, special district and county taxation in order to develop a tax reform program in the Commonwealth.

05/12/87 H. Reported from the committee on TAXATION
05/12/87 H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 607
10/13/87 H. Discharged to the committee on HOUSE RULES -HJ 1427

S. 1298 Of Carol C. Amick, Lucile P. Hicks, Augusto F. Grace, Stephen W. Doran, John H. Loring and others for legislation to provide for the distribution of the jet fuel tax collected at Lawrence G. Hanscom Field.

01/07/87 S. Referred to the committee on TAXATION
05/18/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 530
10/06/87 S. Referred to the committee on SENATE STEERING AND POLICY
11/17/87 H. Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1589

S. 983 Of Carol C. Amick, Steven Angelo, William B. Golden, Augusto F. Grace and John F. MacGovern for legislation to provide further incentives and compensation to communities siting hazardous waste facilities and to make corrective changes in the siting process.

01/07/87 S. Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
12/07/87 H. Accompanied a study order, see H6307

H. 6307 Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents concerning timely and effectively clean-up and emergency relief of oil and hazardous material sites in the Commonwealth and other related matters.

12/07/87 H. Reported from the committee on NATURAL RESOURCES AND AGRICULTURE
12/07/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJs 1693-1694

S. 118 Of Carol C. Amick, Argeo Paul Cellucci, Augusto F. Grace and Peter G. Trombley for legislation to increase the board of trustees of Middlesex County Hospital.

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01/07/87	S.	Referred to the committee on COUNTIES
05/11/87	S.	Discharged to the committee on HOUSE COUNTIES -SJ 472
05/13/87	H.	House concurred -HJ 626

S. 944 Of Carol C. Amick, Barbara Gardner, David P. Magnani, Barbara E. Gray and Augusto F. Grace for legislation to change the zoning exemption provision for approval-not-required plans.

01/07/87	S.	Referred to the committee on LOCAL AFFAIRS
09/17/87	H.	Accompanied a study order, see H6002

H. 6002 Order relative to authorizing the committee on Local Affairs to make an investigation and study of certain Senate and House documents concerning zoning and sub-division control in cities and towns.

09/17/87	H.	Reported from the committee on LOCAL AFFARIS
09/17/87	H.	Bill reported favorably by committee and referred to the committee on JOINT RULES -HJ 1289

S. 620 Of Michael LoPresti, Jr., Charles F. Flaherty, Robert A. Durand, Michael J. Barrett, Augusto F. Grace and other members of the General Court for legislation to improve the conditions of participation of Medicaid providers of services.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/16/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 259
01/05/88	S.	No report from committee

S. 981 Of Carol C. Amick, Steven Angelo, David P. Magnani, John W. Olver, Augusto F. Grace, Frederick E. Berry and illiam B. Golden for legislation relative to the liability and compensation for personal injury, illness, and economic loss resulting from the release of oil and hazardous materials in the environment.

01/07/87	S.	Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
04/23/87	H.	Accompanied H1848

H. 1848 Of Robert Emmet Hayes and other members ot the General Court relative to providing emergency relief for people exposed to release of oil and hazardous materials.

01/07/87	H.	Referred to the committee on NATURAL RESOURCES AND AGRICULTURE

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04/23/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 385

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REPRESENTATIVE SAUNDRA GRAHAM

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H. 1604 PETITION

Of Barbara E. Gray, Frances F. Alexander, Saundra Graham, Barbara Hildt, Stanley C. Rosenberg and Lois G. Pines for legislation to regulate state contracts with companies doing business with South Africa.

01/07/87 H. Referred to the committee on STATE ADMINISTRATION
04/29/87 H. Reported by committee to Clerk's Office for processing, will accompany H1894

H. 1894 Of Saundra Graham, other members of the General Court and another for legislation to regulate state contracts with companies doing business with or in the Republic of South Africa or Namibia.

01/07/87 H. Referred to the committee on STATE ADMINISTRATION
04/30/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 473
07/23/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1092
12/09/87 S. Referred to the committee on SENATE STEERING AND POLICY -SJ 1586
01/05/88 S. No further action taken

H. 4299 Of Stanley C. Rosenberg, Saundra Graham, Carmen D. Buell, David P. Magnani, Christopher J. Hodgkins and Barbara Gardner for legislation to include child day care as a benefit for public employees.

01/12/87 H. Referred to the committee on PUBLIC SERVICE
12/29/87 S. Senate concurred -SJ 1762

H. 6193 Of Walter J. Sullivan (mayor), Saundra Graham, Peter A. Vellucci and others (with the approval of the mayor and city council) relative to the appointment of assessors in the city of Cambridge.

11/05/87 H. Referred to the committee on LOCAL AFFAIRS -HJ 1540
12/09/87 S. Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 1587
01/05/88 S. Enacted and laid before the Governor -SJ 1838

H. 1512 Of Suzanne M. Bump, Patricia G. Fiero, Barbara E. Gray, Saundra Graham, Frances F. Alexander and another for legislation to require certain labeling on containers of alcoholic beverages.

REPRESENTATIVE SAUNDRA GRAHAM
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01/07/87	H.	Referred to the committee on GOVERNMENT REGULATIONS
12/22/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 1720
01/05/88	S.	No further action taken

H. 4412 Of Saundra Graham, other members of the General Court and another that provision be made for access to child care for households of low or moderate income.

01/12/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87	H.	Accompanied a new draft, see H5851

H. 5851 Bill to provide child care linkage.

07/01/87	H.	Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1064

H. 553 Of Kevin W. Fitzgerald, John E. McDonough, Barbara E. Gray, Joseph K. Mackey, Saundra Graham and Kevin P. Blanchette for legislation to establish a low and moderate income housing fund trust within the Department of Communities and Development.

01/07/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
05/13/87	H.	Accompanied a study order, see H5504

H. 5504 Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain House documents concerning the establishment of a housing fund trust to assist the elderly and low and moderate income persons.

05/13/87	H.	Reported from the committee on HOUSING AND URBAN DEVELOPMENT
05/13/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 628
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1276

H. 4922 Of Saundra Graham, Shirley Owens-Hicks and another for adoptions of resolutions by the General Court urging the President and the Congress of the United States to establish a national program to provide financial support to persons who participate in public and community services.

01/12/87	H.	Referred to the committee on FEDERAL FINANCIAL ASSISTANCE

REPRESENTATIVE SAUNDRA GRAHAM
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04/28/87	S.	Referred to the committee on SENATE STEERING AND POLICY -SJ 323
05/11/87	S.	Adopted -SJ 480

H. 5087 Of David B. Cohen, Saundra Graham and another for legislation to establish a Massachusetts commission on nuclear disarmament and peace education.

01/12/87	H.	Referred to the committee on STATE ADMINISTRATION
05/05/87	H.	Accompanied a study order, see H5436

H. 5436 Order relative to authorizing the committee on State Administration to make an investigation and study of certain Senate and House documents concerning administrative procedures for public construction and conflict of interest and rules and regulations for agencies and boards and various other matters.

05/05/87	H.	Reported from the committee on STATE ADMINISTRATION
05/05/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJs 522-523
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1273

H. 4559 Of Stanley C. Rosenberg, Geoffrey C. Beckwith, Saundra Graham, Christopher J. Hodgkins, Carmen D. Buell and Joseph N. Hermann for legislation to direct the Executive Office of Communities and Development to increase and improve child care facilities.

01/12/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87	S.	Accompanied a study order, see S1943 -SJ 913

S. 1943 Order relative to authorizing the joint committee on Human Services and Elderly Affairs to sit during the recess of the General Court for the purpose of making an investigation and study of certain Senate and House documents relative to the availability of affordable child care.

07/01/87	S.	Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87	S.	Order reported favorably by committee and referred to the committee on JOINT RULES -SJ 913
07/07/87	S.	Discharged to the committee on SENATE RULES -SJ 953
01/05/88	S.	No report from committee

H. 4504 Of Saundra Graham, Shirley Owens-Hicks and another for legislation to establish a youth business development fund for the purpose of providing business loans to low-come youths.

REPRESENTATIVE SAUNDRA GRAHAM
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01/12/87	H.	Referred to the committee on COMMERCE AND LABOR
11/09/87	H.	Accompanied a new draft, see H6200

H. 4504 Of Saundra Graham, Shirley Owens-Hicks and another for legislation to establish a youth business development fund for the purpose of providing business loans to low-income youths.

01/12/87	H.	Referred to the committee on COMMERCE AND LABOR
11/09/87	H.	Accompanied a new draft, see H6200

H. 6200 Bill relative to enterprise development.

11/09/87	H.	Reported from the committee on COMMERCE AND LABOR
11/09/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1547

H. 5058 Of Saundra Graham, Shirley Owens-Hicks, Byron Rushing and another for legislation to establish a future corps of public and community service workers.

01/12/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
03/12/87	H.	Discharged to the committee on EDUCATION -HJ 134
05/14/87	H.	Accompanied a study order, see H5511

H. 5511 Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning community service work by high school students and certain other persons.

05/14/87	H.	Reported from the committee on EDUCATION
05/14/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 651
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1276

H. 4922 Of Saundra Graham, Shirley Owens-Hicks and another for adoptions of resolutions by the General Court urging the President and the Congress of the United States to establish a national program to provide financial support to persons who participate in public and community services.

01/12/87	H.	Referred to the committee on FEDERAL FINANCIAL ASSISTANCE
04/28/87	S.	Referred to the committee on SENATE STEERING AND POLICY -SJ 323
05/11/87	S.	Adopted -SJ 480

REPRESENTATIVE SAUNDRA GRAHAM
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H. 1647 Of Saundra Graham and other members of the General Court for legislation to authorize the appointment of a director of alternative sentencing by the chief probation officer in each county of the Commonwealth.

01/07/87 H. Referred to the committee on CRIMINAL JUSTICE
05/04/87 H. Bill reported favorably by committee and referred to the committee on HOUSE COUNTIES -HJ 494
07/01/87 H. Committee recommended ought to pass and referred to the committee on HOUSE WAYS AND MEANS -HJ 1064
12/17/87 H. Ordered to a third reading -HJ 1813

H. 1682 Of Saundra Graham and other members of the General Court relative to regulating the participation of cerain prisoners in programs outside correctional facilities.

01/07/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/06/87 H. Accompanied a new draft, see H5460

H. 5460 Bill regulating programs outside correctional institutions for female inmates.

05/06/87 H. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/06/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 559

H. 1678 Of Saundra Graham for legislation to require certain private commercial or real estate developments to provide child care facilities in said developments.

01/07/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Accompanied a study order, see H5198

H. 5198 Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning the availability of affordable housing and other related matters.

03/23/87 H. Reported from the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 165
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1271

H. 5058 Of Saundra Graham, Shirley Owens-Hicks, Byron Rushing and another for legislation to establish a future corps of

public and community service workers.

01/12/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
03/12/87 H. Discharged to the committee on EDUCATION -HJ 134
05/14/87 H. Accompanied a study order, see H5511

H. 5511 Order relative to authorizing the committee on Education to make an investigation and study of certain House documents concerning community service work by high school students and certain other persons.

05/14/87 H. Reported from the commiteeee on EDUCATION
05/14/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 651
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1276

S. 345 Of Michael LoPresti, Jr., David P. Magnani, Salvatore F. DiMasi, Joan M. Menard, Saundra Graham, Alfred E. Saggese, Jr., Barbara E. Gray, Michael J. Barrett, Peter A. Vellucci and Thomas C. Norton for the adoption of resolutions urging the Congress of the United States to hold public hearings in Massachusetts in nineteen hundred and eighty-seven on a national health program.

01/07/87 S. Referred to the committee on FEDERAL FINANCIAL ASSISTANCE
04/02/87 S. Resolutions reported favorably by committee and referred to the committee on SENATE STEERING AND POLICY -SJ 159
06/01/87 H. Adopted -HJ 847

H. 4102 Of Francis X. Bellotti, Saundra Graham, Joseph K. Mackey and John E. McDonough for legislation to authorize the use of civil investigative demands in enforcement of civil rights laws.

01/12/87 H. Referred to the committee on THE JUDICIARY
05/04/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 495

H. 1827 Of Paul Kollios and other members of the House, for an investigation and study by a non-legislative commission of the availability of workers in long term care services for the elderly.

01/07/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/08/87 H. Resolve reported favorably by committee as changed and referred to the committee on HOUSE WAYS AND MEANS -HJ 304

REPRESENTATIVE SAUNDRA GRAHAM
(CONTINUE PAGE SEVEN)

H. 4412		Of Saundra Graham, other members of the General Court and another that provision be made for access to child care for households of low or moderate income.
01/12/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87	H.	Accompanied a new draft, see H5851
H. 5851		Bill to provide child care linkage.
07/01/87	H.	Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1064
H. 426		Of Salvatore R. Albano, David B. Cohen, Saundra Graham, John A. Businger and other members of the General Court for legislation to establish a Massachusetts health security program.
01/07/87	S.	Referred to the committee on HEALTH CARE
08/10/87	H.	Accompanied a new draft, see H5968
H. 5968		Bill relative to health care financing and delivery reform.
08/10/87	H.	Reported from the committee on HEALTH CARE
08/10/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1242
S. 683		Of John Patrick Houston, Linda J. Melconian and Saundra Graham for legislation to require fair and open insurance agent licensing examinations.
01/07/87	S.	Referred to the committee on INSURANCE
05/19/87	S.	Discharged to the committee on SENATE WAYS AND MEANS -SJ 552
01/05/88	S.	No report from committee
S. 62		Of Nicholas J. Costello, Barbara Hildt, Geoffrey C. Beckwith, Kevin W. Fitzgerald, Kevin G. Honan, Saundra Graham and John E. McDonough for legislation to protect tenant and occupants of real property upon sale of the premises.
01/07/87	S.	Referred to the committee on COMMERCE AND LABOR
05/04/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 374
06/08/87	S.	Pending new draft substituted, see S1892 -SJs 673-674

REPRESENTATIVE SAUNDRA GRAHAM
(CONTINUE PAGE EIGHT)

S. 1892		Bill to protect tenants and occupants of real property upon sale of the premises.
05/26/87	S.	Moved, by Mr. Wetmore, as a new draft fro report of the committee on Commerce and Labor, ought NOT to pass, on petition on S62
06/08/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJs 673-674
12/23/87	S.	Reporting date extended to January 4, 1988 -SJ 1725

LEGISLATION SPONSORED
BY
REPRESENTATIVE RAYMOND A. JORDAN

REPRESENTATIVE RAYMOND A. JORDAN

H. 2985 PETITION

Of Raymond A. Jordan, Jr., and Robert L. Howarth relative to the appointment of three additional assistant clerks in the Hampden County Superior Court.

01/08/87 H. Referred to the committee on THE JUDICIARY
05/14/87 H. Accompanied a study order, see H5509

H. 5509 Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain Senate and House documents relative to the administration of the courts.

05/14/87 H. Reported from the committee on THE JUDICIARY
05/14/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 652
07/02/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1079
11/02/87 H. Reprted (in part) by H1349 -HJ 1525

S. 623 Of Linda J. Melconian, John P. Burke, Raymond A. Jordan, Jr., and Martin T. Reilly for legislation relative to the treatment of mentally ill and mentally retarded persons.

01/07/87 S. Referred to the committee on HUMAN SERVICES ANS ELDERLY AFFAIRS
05/05/87 H. Accompanied a new draft, see H5439

H. 5439 Bill to further the provision of community services.

05/05/87 H. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/05/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 524

H. 5992 Of Steven D. Pierce, Raymond A. Jordan, Jr., Michael C. Creedon, Peter B. Morin, Carmen D. Buell and other members of the House for legislation to encourage the expansion of business in areas of substantial poverty and regulate taxation under the enterprise zone law.

06/18/87 H. Referred to the committee on JOINT RULES -HJ 979
09/08/87 H. Reported, rules suspended and referred to the committee on TAXATION -HJ 1267
09/22/87 H. Discharged to the committee on COMMERCE AND LABOR -HJ 1306
11/09/87 H. Accompanied a new draft, see H6200

H. 6200		Bill relative to enterprise development.
11/09/87	H.	Reported from the committee on COMMERCE AND LABOR
11/09/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1547
H. 5180		Of Lawrence R. Alexander, Nicholas J. Costello, Raymond A. Jordan, Jr., Christopher J. Hodgkins and Augusto F. Grace for legislation to require intrastate transport of purchased natural gas.
03/16/87	H.	Referred to the committee on GOVERNMENT REGULATIONS -HJ 142
11/05/87	S.	Senate concurred -SJ 1393
H. 4489		Of Robert L. Howarth and Raymond A. Jordan, Jr., that certain medical equipment be exempt from the sales tax.
01/12/87	H.	Referred to the committee on TAXATION
05/21/87	H.	Committee recommended ought NOT to pass and placed in the Orders of the Day for the next session -HJs UU-VV
05/26/87	H.	Report accepted -HJ 806
S. 883		Of Linda J. Melconian, Martin T. Reilly, Raymond A. Jordan, Jr., Paul E. Caron and John P. Burke for legislation to ensure that support payments do not exceed after-taxes income.
01/07/87	S.	Referred to the committee on THE JUDICIARY
04/16/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 262
05/04/87	S.	Report accepted -SJ 393
S. 917		Of Martin T. Reilly, Raymond A. Jordan, Jr., and Paul E. Caron for legislation to improve a child's right of contact with both parents after divorce or separation.
01/07/87	S.	Referred to the committee on THE JUDICIARY
04/16/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 263
05/04/87	S.	Report accepted -SJ 382
S. 918		Of Martin T. Reilly, Raymond A. Jordan, Jr., and Paul E. Caron for legislation relative to the earning capacity of both parents in determining child support.
01/07/87	S.	Referred to the committee on THE JUDICIARY
04/16/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 263
05/04/87	S.	Report ac;epted -SJs 382-383

REP. RAYMOND A. JORDAN, JR.
(CONTINUE PAGE THREE)

S. 1034		Of Linda J. Melconian, Paul E. Caron, John P. Burke, Michael P. Walsh, Shannon P. O'Brien, Raymond A. Jordan, Jr., and Martin T. Reilly for legislation relative to the Massachusetts Water Resources Authority.
01/07/87	S.	Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
06/01/87	H.	Accompanied a study resolve, see H5594
H. 5594		Resolve increasing the scope of the Special Commission on adequacy of the water supply of the Commonwealth.
06/01/87	H.	Reported from the committee on NATURAL RESOURCES AND AGRICULTURE
06/01/87	H.	Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 839
10/13/87	H.	Discharged to the committee on HOUSE RULES -HJ 1427
H. 2161		Of Lawrence R. Alexander, Geoffrey C. Beckwith, Nicholas J. Costello, Robert A. Durand and Raymond A. Jordan, Jr., relative to the establishment of municipal light plants.
01/08/87	H.	Referred to the committee on GOVERNMENT REGULATIONS
11/05/87	S.	Senate concurred - SJ 1394
H. 2974		Of Raymond A. Jordan, Jr., Robert L. Howarth and Linda J. Melconian relative to the location of a regional office for children in the city of Springfield.
01/08/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/26/87	H.	Report accepted -HJ 802
S. 622		Of Linda J. Melconian, Paul E. Caron, John W. Olver, Raymond A. Jordan, Jr., and Martin T. Reilly for legislation to limit transportation restraints of a child in need of services.
01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87	H.	Accompanied a study resolve, see H5849
H. 5849		Resolve increasing the scope of the special commission relative to children in need of services.
07/01/87	H.	Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/01/87	H.	Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 1063
10/13/87	H.	Discharged to the committee on HOUSE RULES -HJ 1428

REP. RAYMOND A. JORDAN, JR.
(CONTINUE PAGE FOUR)

H. 3050	Of Raymond A. Jordan, Jr., Saundra Graham, Gloria L. Fox, Shirley Owens-Hicks, Linda J. Melconian and another relative to bids and contracts for state printing.	
01/08/87	H.	Referred to the committee on STATE ADMINISTRATION
03/26/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 200
H. 3029	Of Raymond A. Jordan, Jr., Gloria L. Fox, Saundra Graham, Shirley Owens-Hicks and Linda J. Melconian for legislation to establish a code of fair practice in state employment.	
01/08/87	H.	Referred to the committee on PUBLIC SERVICE
04/28/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 316
01/05/88	S.	No report from committee

LEGISLATION SPONSORED
BY
REPRESENTATIVE SHIRLEY OWENS-HICKS

REPRESENTATIVE SHIRLEY OWENS-HICKS

H. 4235 PETITION

Of Shirley Owens-Hicks, Gloria L. Fox, Saundra Graham and Raymond A. Jordan, Jr., that certain vacant and abandoned buildings in cities and towns be rehabilitated to provide homes for the homeless and low and moderate income persons.

01/12/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Accompanied a study order, see H5198

H. 5198 Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning the availability of affordable housing and other related matters.

03/23/87 H. Reported from the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 165
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1271

H. 3436 Of Emanuel G. Serra, Kevin W. Fitzgerald, Kevin G. Honan, Shirley Owens-Hicks and Gloria L. Fox relative to the assessment of costs of the Massachusetts Bay Transportation Authority upon certain cities and towns of the Commonwealth.

01/08/87 H. Referred to the committee on TRANSPORTATION
04/29/87 H. Accompanied a study order, see H5379

H. 5379 Order relative to authorizing the committee on Transportation to make an investigation and study of certain Senate and House documents concerning the Massachusetts Bay Transportation Authority and other related matters.

04/29/87 H. Reported from the committee on TRANSPORTATION
04/29/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 457
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1272

H. 3315 Of Kevin G. Honan, John E. McDonough, Emanuel G. Serra, Eleanor Myerson, Shirley Owens-Hicks and Gloria L. Fox relative to the jurisdiction of the Boston Housing Court.

REPRESENTATIVE SHIRLEY OWENS-HICKS
(CONTINUE PAGE TWO)

01/08/87	H.	Referred to the committee on THE JUDICIARY
05/04/87	H.	Report accepted -HJ 509

H. 5703 Of W. Paul White, Richard J. Rouse, James T. Brett, Thomas M. Finneran, Joseph B. Walsh and Shirley Owens-Hicks that the Division of Capital Planning and Operations be authorized to acquire the land and buildings of the Dorchester District Court.

06/10/87	H.	Referred to the committee on JOINT RULES, reported, rules suspended and referred to the committee on STATE ADMINISTRATION -HJ 916
09/22/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1307

H. 3651 Of Nicholas A. Paleologos, Mary Jane Gibson, Richard R. Tisei, Shirley Owens-Hicks, Susan C. Tucker and Lawrence R. Alexander for legislation to regulate state assistance for the cost of certain special education placements.

01/08/87	H.	Referred to the committee on EDUCATION
05/26/87	H.	Accompanied a new draft, see H5559

H. 5559 Bill relative to special education costs.

05/26/87	H.	Reported from the committee on EDUCATION
05/26/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 783
12/16/87	H.	Ordered to a third reading -HJ 1793

H. 4420 Of the Mothers Against Drugs, Shirley Owens-Hicks, Gloria L. Fox, Saundra Graham, Raymond A. Jordan, Jr., and another for an investigation by a special commission (including members of the General Court) relative to seeking ways to take the profit out of illegal drug dealing.

01/12/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
03/16/87	H.	Discharged to the committee on CRIMINAL JUSTICE -HJ 144
05/04/87	H.	Accompanied a new draft, see H5421

H. 5421 Resolve providing for an investigation and study by a special commission relating to seeking ways to take the profit out of illegal drug dealing.

05/04/87	H.	Reported from the committee on CRIMINAL JUSTICE
05/04/87	H.	Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 494
10/13/87	H.	Discharged to the committee on HOUSE RULES -HJ 1427

REPRESENTATIVE SHIRLEY OWENS-HICKS
(CONTINUE PAGE THREE)

H. 3839 Of Nicholas A Paleologos, Shirley Owens-Hicks and Susan C. Tucker for an appropriation of funds to the Board of Regents in order to provide assistance to students for advancing their educational goals.

01/12/87 H. Referred to the committee on EDUCATION
04/27/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 403

H. 2235 Of Shirley Owens-Hicks, Saundra Graham and Byron Rushing for legislation to faciliate the participation of minority businesses and women-owned businesses in public construction projects.

01/08/87 H. Referred to the committee on STATE ADMINISTRATION
05/05/87 H. Accompanied a study order, see H5437

H. 5437 Order relative to authorizing the committee on State Administration to make an investigation and study of certain House documents concerning the awarding of public contracts in the Commonwealth to minority-owned and women-owned businesses and other related matters.

05/05/87 H. Reported from the committee on STATE ADMINISTRATION
05/05/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 523
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1273

H. 4547 Of Shirley Owens-Hicks, Gloria L. Fox and Saundra Graham for legislation to allow nonprofit social agencies and community groups to acquire abandoned buildings in order to provide homes for the homeless and persons of low and moderate income.

01/12/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
05/13/87 H. Accompanied a study order, see H5508

H. 4945 Of Shirley Owens-Hicks, Gloria L. Fox, Saundra Graham and Raymond A. Jordan, Jr., that the Massachusetts Housing Finance Agency be directed to establish programs to provide homes for the homeless and persons of low and moderate income.

01/12/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
05/13/87 H. Accompanied a study order, see H5508

REPRESENTATIVE SHIRLEY OWENS-HICKS
(CONTINUE PAGE FOUR)

H. 5508 Order relative to authorizing the committee on Housing and Urban Development ot make an investigation and study of certain House documents concerning programs to provide adequate housing for the homeless and persons of low and moderate income.

05/13/87 H. Reported from the committee on HOUSING AND URBAN DEVELOPMENT
05/13/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 628

H. 4436 Of the Mothers Against Drugs, Shirley Owens-Hicks, Gloria L. Fox, Saundra Graham, Raymond A. Jordan, Jr., and another relative to forfeited money in illegal drug dealings.

01/12/87 H. Referred to the committee on THE JUDICIARY
06/04/87 H. Accompanied a study order, see H5647 -HJ 885

H. 4437 Of Shirley Owens-Hicks, Gloria L. Fox, Eleanor Myerson, Saundra Graham and another relative to public disposition of confiscated drugs.

01/12/87 H. Referred to the committee on THE JUDICIARY
06/04/87 H. Accompanied a study order, see H5647 -HJ 885

H. 4435 Of the Mothers Against Drugs, Shirley Owens-Hicks, Gloria L. Fox, Kevin G. Honan, Eleanor Myerson, Saundra Graham, Raymond A. Jordan, Jr., and another relative to the disposition of monies or other property confiscated during a "drug bust".

01/12/87 H. Referred to the committee on THE JUDICIARY
06/04/87 H. Accompanied a study order, see H5647 -HJ 885

H. 5647 Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning the forfeiture of property seized in criminal cases.

06/04/87 H. Reorted from the committee on THE JUDICIARY
06/04/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 885
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1277

LEGISLATION SPONSORED
BY
REPRESENTATIVE BYRON RUSHING

REPRESENTATIVE BYRON RUSHING

H. 6248 PETITION

Of Byron Rushing, William R. Keating and Mark Roosevelt (with the approval of the mayor and city council) for legislation to establish an archives and records advisory commission and an archives and records management division in the city of Boston.

11/25/87	H. Referred to the committee on LOCAL AFFAIRS -HJ 1637
12/22/87	S. Read; and referred to the committee on SENATE AND POLICY -SJ 1720
01/05/88	No further action taken

H. 3633 Of Byron Rushing for legislation to prohibit discrimination on the basis of sexual preference.

01/08/87	H. Referred to the committee on COMMERCE AND LABOR
05/04/87	H. Accompanied H3445

H. 3445 Of Mark Roosevelt, other members of the General Court and another for legislation to prohibit discrimination on the basis of sexual orientation.

01/08/87	H. Referred to the committee on COMMERCE AND LABOR
05/06/87	H. Reprinted, as amended, see H5469 -HJs 567-572

H. 5469 Bill making it unlawful to discriminate on the basis of sexual orientation [House, No. 3445, printed as amended by the House on May 5 and 6].

05/28/87	S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 604
09/22/87	S. Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 1165
11/17/87	S. Point of order well taken and the bill was recommitted (under Senate Rule 27) to the committee on SENATE WAYS AND MEANS with instructions to attach a fiscal note -SJs 1468-1472
11/19/87	S. Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY
01/05/87	S. No further action taken

H. 5842 Of Byron Rushing and another for legislation to authorize the Secretary of the Commonwealth to place upon the ballot in the current year a nonbinding question relative to the incorporation of a certain area of the city of Boston as a city within the Commonwealth.

REP. BYRON RUSHING
(CONTINUE PAGE TWO)

06/29/87 H. Referred to the committee on HOINT RULES, reported, rules suspended and referred to the committee on ELECTION LAWS -HJ 1035
07/14/87 H. Bill rejected - YEAS 66, NAYS 87 [See Yea and Nay in Supplement, No. 341] -HJ 1170

H. 4914 of John A. Businger, Emanuel G. Serra, John C. Bartley, Kevin G. Honan, Byron Rushing, Joseph K. Mackey and Robert A. Durand relative to voter registration of persons temporarily absent from their place of residence.

01/12/87 H. Referred to the committee on ELECTION LAWS
12/30/87 S. Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 1792
01/05/88 No further action taken

H. 4546 Of Barbara E. Gray and Byron Rushing that the Executive Office of Communities and Development be allocated funds for the acquisition of certain affordable housing units.

01/12/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
05/12/87 H. Accompanied a study order, see H5488

H. 5488 Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain House documents concerning the availability of public housing and the practices of public housing authorities.

01/12/87 H. Reported from the committee on HOUSING AND URBAN DEVELOPMENT
05/12/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 606
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1275

H. 4912 Of John A. Businger, Emanuel G. Sera, Byron Rushing, Kevin G. Honan and John C. Bartley for legislation to provide that the Commonwealth assume the cost of assuring that polling places are accessible to handicapped and elderly voters.

01/12/87 H. Referred to the committee on ELECTION LAWS
03/26/87 S. Bill reported favorably by committee and referred to the committee on SENATE WYAS AND MEANS -SJ 127
01/05/88 S. No report from committee

H. 4762 Of John A. Businger, Lois G. Pines, Byron Rushing, Barbara Hildt, Susan D. Schur, Geoffrey C. Beckwith, Stanley C. Rosenberg, Joseph K. Mackey and Christopher J. Hodgkins for legislation to prohibit standees on school buses.

REP. BYRON RUSHING
(CONTINUE PAGE THREE)

01/12/87 H. Referred to the committee on PUBLIC SAFETY
06/22/87 H. Accompanied a study resolve, see H5774

H. 5774 Resolve increasing the scope of the special commission established to make an investigation and study relative to the feasibility of requiring mandatory use of seat belts on school buses and certain matters related thereto.

06/22/87 H. Reported from the committee on PUBLIC SAFETY
06/22/87 H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 987
10/13/87 H. Discharged to the committee on HOUSE RULES -HJ 1428

H. 3632 Of Byron Rushing for legislation to authorize the Massachusetts Commission Against Discrimination to assess costs after a finding of discrimination.

01/08/87 H. Referred to the committee on COMMERCE AND LABOR
05/19/87 H. Accompanied a study order, see H5532

H. 4678 Of Byron Rushing for the appointment of a joint special committee to make an investigation and study of provisions of the State Constitution relative to compulsory voting at elections.

01/12/87 H. Referred to the committee on ELECTION LAWS
03/23/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 165
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1270

H. 4760 Of John A. Businger, Lois G. Pines, Byron Rushing, Barbara Hildt, Susan D. Schur, Geoffrey C. Beckwith, Stanley C. Rosenberg, Joseph K. Mackey and Christopher J. Hodgkins for legislation to mandate lap-shoulder belts for school buses.

01/12/87 H. Referred to the committee on PUBLIC SAFETY
03/12/87 H. Accompanied a study order, see H5159

H. 5159 Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents concerning seat belts in school buses.

03/12/87 H. Reported from the committee on PUBLIC SAFETY
03/12/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 135
03/24/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 185

REP. BYRON RUSHING
(CONTINUE PAGE FOUR)

H. 3785 Of Byron Rushing and Howard C. Cahoon, Jr., for legislation to authorize the payment of certain retirement benefits for Herbert E. Tucker, Jr., a retired justice of the Trial Court.

01/08/87 H. Referred to the committee on PUBLIC SERVICE
04/23/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 293
01/05/88 S. Discharged to the committee on SENATE STEERING AND POLICY
01/05/88 S. Read second, ordered to a third reading, read third and passed to be engrossed -SJ 1863

H. 3955 Of Salvatore F. DiMasi and Byron Rushing relative to the right of public employees to strike.

01/12/87 H. Referred to the committee on PUBLIC SERVICE
05/12/87 H. Accompanied a study order, see H5489

H. 5489 Order relative to authorizing the committee on Public Service to make an investigation and study of certain Senate and House documents concerning binding arbitration in public employee labor disputes and the right to strike by public employees.

05/12/87 H. Reported from the committee on PUBLIC SERVICE
05/12/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 606
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1275

H. 3714 Of Byron Rushing and other members of the House for legislation to abolish discrimination against women in prison forestry camps.

01/08/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
06/08/87 H. Accompanied a new draft, see H5666

H. 5666 Bill relative to prison reforestation camps.

06/08/87 H. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
07/23/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1-92
01/05/88 S. No report from committee

H. 3780 Of Byron Rushing, James T. Brett and another for legislation to establish fire safety standards for cigarettes.

01/08/87 H. Referred to the committee on PUBLIC SAFETY
04/16/87 H. Accompanied a study order, see H5320

REP. BYRON RUSHING
(CONTINUE PAGE FIVE)

H. 5320 Order relative to authorizing the committee on Public Safety to make an investigation and study of certain Senate and House documents providing fire safety standards for cigarettes and cigars.

04/16/87 H. Reported from the committee on PUBLIC SAFETY
04/16/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 374
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1272

H. 3631 Of Byron Rushing for legislation to authorize the Commission Against Discrimination to award attorney's fees to private attorneys representing complaintants.

01/08/87 H. Referred to the committee on COMMERCE AND LABOR
05/19/87 H. Accompanied a study order, see H5532

H. 798 Of the Mass. Federation of Teachers, A.F.T., A.F.L.-C.I.O., and Byron Rushing for legislation to require new school buses to be equipped with seat belts and stop arms in addition to flashing lights.

01/07/87 H. Referred to the committee on PUBLIC SAFETY
03/12/87 H. Accompanied a study order, see H5162

H. 4761 Of John A. Businger, Lois G. Pines, Byron Rushing, Barbara Hildt, Susan D. Schur, Geoffrey C. Beckwith, Stanley C. Rosenberg, Joseph K. Mackey, Christopher J. Hodgkins for legislation to provide that school buses shall contain two-way radio equipment.

03/12/87 H. Reported from the committee on PUBLIC SAFETY
03/12/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 135
03/24/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 185

H. 2244 Of Byron Rushing relative to the real estate tax on property purchased by housing authorities.

01/08/87 H. Referred to the committee on TAXATION
0519/87 S. Accompanied S1578 -SJ 549, see Sen. Bolling

H. 2188 Of Byron Rushing and other members of the General Court relative to the redevelopment of public housing.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Accompanied a study order, see H5198,
See Rep. Owens-Hicks

REP. BYRON RUSHING
(CONTINUE PAGE SIX)

H. 1689 Of Byron Rushing, Gloria L. Fox and Patricia G. Fiero relative to the security and safety at state correctional facilities.

01/07/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/06/87 H. Accompanied a study resolve, see H5458

H. 5458 Resolve creating a special commission to study and investigate the management of prison population.

05/06/87 H. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/06/87 H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 558
10/13/87 H. Discharged to the committee on HOUSE RULES -HJ 1427

H. 2442 Of Thomas M. Gallager, John A. Businger, Byron Rushing and Gloria L. Fox for legislation to prohibit the investment of funds of the Commonwealth in certain banks.

01/08/87 H. Referred to the committee on STATE ADMINISTRATION
03/31/87 H. Recommitted to the committee on STATE ADMINISTRATION -HJ 249
06/16/87 H. Report accepted -HJ 970

H. 2731 Of Charles F. Flaherty, Byron Rushing and another for a legislative amendment to the Constitution eliminating the state decennial census.

01/08/87 H. Referred to the committee on ELECTION LAWS
05/11/87 S. Joint session ordered -SJ 484

H. 2188 Of Byron Rushing and other members of the General Court relative to the redevelopment of public housing.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Accompanied a study order, see H5198

H. 5198 Order relative to authorizing the committee on Housing and Urban Development to make an investigation and study of certain Senate and House documents concerning the availability of affordable housing and other related matters.

03/23/87 H. Reported from the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 165
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1271

REP. BYRON RUSHING
(CONTINUE PAGE SEVEN)

S. 1285 Of Michael Joseph Connolly, Secretary of the Commonwealth, Martin T. Reilly, Michael J. McGlynn and Bryon Rushing for legislation relative to historic districts and landmarks.

01/07/87 S. Referred to the committee on STATE ADMINISTRATION
03/05/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 75
01/05/88 S. No report from committee

H. 1047 Of Michael J. Connolly, Steven Angelo and Byron Rushing relative to the operation and supervision of the Archives Museum by the State Archivist.

01/07/87 H. Referred to the committee on STATE ADMINISTRATION
04/29/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 356
01/05/88 S. No report from committee

H. 2208 Of Kevin W. Fitzgerald, Patricia G. Fiero, Kevin P. Blanchette and Byron Rushing for legislation to provide a court interpreter system in the Trial Court and a pilot project in Essex County for non-English speaking persons.

01/08/87 H. Referred to the committee on THE JUDICIARY
05/06/87 H. Report accepted -HJ 563

H. 2292 Of Lawrence R. Alexander, Byron Rushing and Gloria L. Fox for legislation to establish a South African and Namibian scholarship program at higher educational institutions of the Commonwealth.

01/08/87 H. Referred to the committee on EDUCATION
11/05/87 H. Reported from the committee on HOUSE WYAS AND MEANS
11/09/87 H. Recommitted to the committee on HOUSE WAYS AND MEANS -HJ 1552

H. 2506 Of William B. Vernon, William Constantino, Jr., Patricia G. Fiero and Byron Rushing that the Commissioner of Education be directed to establish and advance examination for certain students and providing for a "regents' diploma".

01/08/87 H. Referred to the committee on EDUCATION
05/07/87 H. Accompanied a study resolve, see H5470

H. 5470 Resolve providing for an investigation and study by the Board of Regents relative to student assistance programs.

05/07/87 H. Reported from the committee on EDUCATION
05/07/87 H. Resolve reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 579

REP. BRYON RUSHING
(CONTINUE PAGE EIGHT)

12/01/87 H. Reported (in part) by H4517 -HJs 1660-1661

H. 2292 Of Lawrence R. Alexander, Byron Rushing and Gloria L. Fox for legislation to establish a South African and Namibian scholarship program at higher educational institutions of the Commonwealth.

01/08/87 H. Referred to the committee on EDUCATION
11/05/87 H. Reported from the committee on HOUSE WAYS AND MEANS
11/09/87 H. Recommitted to the committee on HOUSE WAYS AND MEANS -HJ 1552

H. 2187 Of Byron Rushing and other members of the General Court relative to the financing of low income housing.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
04/08/87 H. Accompanied H2544

H. 2544 Of Kevin W. Fitzgerald, Frederick E. Berry, John E. McDonough and Kevin G. Honan relative to the financing of low income housing.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
04/08/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 304

H. 1004 Of Byron Rushing and other members of the House for an investigation by the Deputy Commissioner of Capital Planning and Operations of the disposition of certain state owned property located on the site of Boston State Hospital in the city of Boston.

01/08/87 H. Rules suspended and referred to the committee on STATE ADMINISTRATION -HJ AA
08/03/87 S. Accompanied a new draft, see S1997 -S 106
See Sen. Bolling

H. 1690 Of Byron Rushing and other members of the House for legislation to establish a program of training and certification of persons employed in direct care of elderely clients served by the home care program.

01/07/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/08/87 H. Accompanied H1827

REP. BYRON RUSHING
(CONTINUE PAGE NINE)

S.	569	Of Royal L. Bolling, Sr., Edward L. Burke, Gerard D'Amico, William R. Keating, John P. Burke, Richard A. Kraus and Michael LoPresti, Jr., for legislation to repond to the increased medical needs of elderly home care clients.
01/07/87		S. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/08/87		H. Accompanied H1827
H.	1827	Of Paul Kollios and other members of the House, for an investigation and study by a non-legislative commission of the availability of workers in long term care services for the elderly.
01/07/87		H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/08/87		H. Resolve reported favorably by committee as changed and referred to the committee on HOUSE WAYS AND MEANS -HJ 30
01/05/88		H. No report from committee

AN ABBREVIATED VERSION OF
LEGISLATION SUPPORTED BY
MEMBERS OF THE MBLC
NOT PASSED

LEGISLATION IS LISTED BY COMMITTEE

BANKS AND BANKING

H. 2896 PETITION

Of Gregory W. Sullivan and other members of the General Court for legislation to prohibit banking institutions from imposing certain charges on depositors.

01/08/87 H. Referred to the committee on BANKS AND BANKING
05/05/87 S. Accompanied a study order, see S1792 -SJ 406

S. 1792 Order relative to authorizing the Joint Committee on Banks and Banking to sit during the recess of the General Court for the purpose of making an investigation and study of the subject matter of current Senate document numbered 2 and current House documents numbered 885, 887, 2475, 2685, 2896, 2476 and 3254, relative to life-line banking accounts and account fees.

05/05/87 S. Reported from the committee on BANKS AND BANKING
05/05/87 S. Order reported favorably by committee and referred to the committee on JOINT RULES -SJ 406
05/13/87 S. Discharged to the committee on SENATE RULES -SJ 498
01/05/88 S. No report from committee

H. 1099 Of Thomas M. Finneran and Thomas G. Palumbo for an investigation by a special commission (including members of the General Court) relative to charges assessed on consumers under open-end credit plans and revolving credit agreements.

01/07/87 H. Referred to the committee on BANKS AND BANKING
05/05/87 H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 523
10/13/87 H. Discharged to the committee on HOUSE RULES -HJ 1426

COMMERCE AND LABOR

H. 2477 PETITION

Of David B. Cohen and other members of the House for legislation to limit the testing of certain employees for drugs and alcohol.

01/08/87 H. Referred to the committee on COMMERCE AND LABOR
06/22/87 H. Accompanied a study order, see H5770

H. 5770 Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning the testing of

employees for drug or alcohol use and other related matters.

06/22/87	H.	Reported from the committee on COMMERCE AND LABOR
06/22/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 986
10/01/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1378

H. 4503 Of Mary Jane Gibson, other members of the General Court and others for legislation to provide for maternity leave for fathers.

01/12/87	H.	Referred to the committee on COMMERCE AND LABOR
05/13/87	H.	Accompanied a study order, see H5498

H. 5498 Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning the granting of parenting leave by employers.

05/13/87	H.	Reported from the committee on COMMERCE AND LABOR
05/13/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 627
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1275

H. 4818 Of the Group Against Smoking Pollution (GASP), Lawrence R. Alexander and other members of the General Court for legislation to protect the public health by banning the public distribution of free smoking or tobacco products for commercial purposes.

01/12/87	H.	Referred to the committee on COMMERCE AND LABOR
05/19/87	H.	Accompanied a study order, see H5534

H. 5534 Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of certain Senate and House documents concerning consumer protection laws in the Commonwealth and other related matters.

05/19/87	H.	Reported from the committee on COMMERCE AND LABOR
05/19/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 739
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1277

CRIMINAL JUSTICE
(CONTINUE PAGE TWO)

01/08/87	H.	Referred to the committee on CRIMINAL JUSTICE
05/04/87	H.	Accompanied a study order, see H5415

H. 5415 Order relative to authorizing the committee on Criminal Justice to make an investigation and study of certain Senate and House documents regulating the penalties for the commission of various crimes and other related matters.

05/04/87	H.	Reported from the committee on CRIMINAL JUSTICE
05/04/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 493
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1272

H. 2278 Of Salvatore F. DiMasi, Thomas G. Palumbo and Robert F. Jakubowicz for legislation to prohibit trafficking in the drug "crack", so-called, and further regulating the trafficking of cocaine base, cocaine free base or cocaine alkaloid.

01/08/87	H.	Referred to the committee on CRIMINAL JUSTICE
05/06/87	H.	Recommitted to the committee on CRIMINAL JUSTICE -HJ 778
06/30/87	H.	Recommitted to the committee on CRIMINAL JUSTICE -HJ 1057
07/15/87	H.	Recommitted to the committee on CRIMINAL JUSTICE -HJ 1197
09/21/87	H.	Recommitted to the committee on CRIMINAL JUSTICE -HJ 1301
12/01/87	S.	Senate concurred -SJ 1544

EDUCATION

H. 1943 Of Marjorie A. Clapprood and other members of the General Court relative to scholarships for certain students of low income.

01/08/87	H.	Referred to the committee on EDUCATION
05/07/87	H.	Accompanied a study resolve, see H5470

H. 5470 Resolve providing for an investigation and study by the Board of Regents relative to student assistance programs.

05/07/87	H.	Reported from the committee on EDUCATION
05/07/87	H.	Resolve reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 579
12/01/87	H.	Reported (in part) by H4517 -HJs 1660-1661

H. 2293 Of Lawrence R. Alexander and other members of the House for legislation to require the teashing of cardiopulmonary resuscitation in high schools.

CRIMINAL JUSTICE

S. 1544 PETITION

Of the Group Against Smoking Pollution of Massachusetts, by Edward L. Sweda, Jr., Lucile P. Hicks, Suzanne M. Bump and other members of the General Court for legislation to increase the penalty for smoking aboard public transportation.

01/20/87 S. Referred to the committee on CRIMINAL JUSTICE -SJ 5
04/02/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 160
04/21/87 S. Report accepted -SJ 282

H. 3274 Of Richard J. Rouse and other members of the House relative to increasing the punishment for the sale and distribution of controlled substances.

01/08/87 H. Referred to the committee on CRIMINAL JUSTICE
05/04/87 H. Accompanied a study order, see H5417

H. 5417 Order relative to authorizing the committee on Criminal Justice to make an investigation and study of certain Senate and House documents concerning controlled substances and other related matters.

05/04/87 H. Reported from the committee on CRIMINAL JUSTICE
05/04/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJs 493-494
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1273
01/05/88 H. No further report from committee

S. 431 Of Michael J. Barrett, Christopher J. Hodgkins, John E. McDonough, Barbara Hildt, Joseph K. Mackey and other members of the House of Representatives for legislation to improve recipients access to medical services in certain geographic areas.

01/07/87 S. Referred to the committee on HEALTH CARE
04/06/87 S. Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 172
04/13/87 S. Report accepted -SJ 215

H. 2265 Of Lawrence R. Alexander and other members of the General Court for legislation to impose a special assessment on drunken drivers and for the establishment of a victims compensation fund.

01/08/87 H. Referred to the committee on EDUCATION
03/23/87 H. Recommitted to the committee on EDUCATION -HJ 177
06/08/87 H. Report accepted -HJ 905

H. 2926 Of Barbara Hildt, other members of the General Court, and another for legislation to provide grants to cities and towns in the development of extended day programs for students whose parents or guardians cannot provide home supervision.

01/08/87 H. Referred to the committee on EDUCATION
04/23/87 H. Bill reported favoarbly by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 348

H. 3276 Of James T. Brett and other members of the House relative to certain reimbursement costs for the transportation of special needs pupils.

01/08/87 H. Referred to the committee on EDUCATION
04/23/87 S. Accompanied a new draft, see S 1733 -SJ 291

S. 1733 Bill to further authorize the transportation of students.

04/23/87 S. Reported from the committee on EDUCATION
04/23/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 291
10/15/87 S. Referred to the committee on SENATE STEERING AND POLICY
10/21/87 H. Readk and referred to the committee on HOUSE WAYS AND MEANS -HJ 1473
12/09/87 H. Pending new draft substituted, see H6330, printed as amended -HJ 1722

H. 6330 Bill further regulating the transportation of students [printed as amended by the House on Dec. 9].

12/09/87 H. Reported from the committee on HOUSE BILLS IN THE THIRD READING
12/10/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1607
12/16/87 S. Referred to the committee on SENATE WAYS AND MEANS
01/05/88 S. Enacted and laid before the Governor -SJ 1848

H. 4671 Of Patricia G. Fiero, other members of the House and another for legislation to establish family life education programs in the public schools of the Commonwealth.

EDUCATION
(CONTINUE PAGE THREE)

01/12/87	H. Referred to the committee on EDUCATION
04/09/87	H. Accompanied H4825

H. 4825 Of Barbara Hildt, other members of the General Court and another for legislation to prevent abuse and strengthen the family through comprehensive health education and human services in public schools.

01/12/87	H. Referred to the committee on EDUCATION
04/09/87	H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 320
12/02/87	H. Substituted by H6278, as amended -HJ 1673

H. 6278 Bill to prevent abuse and strengthen the family through comprehensive health education and human services in public schools.

12/01/87	H. Reported from the committee on HOUSE WAYS AND MEANS
12/17/87	S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJs 1651-1652
12/28/87	S. Referred to the committee on SENATE STEERING AND POLICY -SJ 1757
01/05/88	S. No further action taken

ELECTION LAWS

H. 4920 Of John A. Businger, other members of the General Court and others for legislation to designate a John F. Kennedy memorial election day.

01/12/87	H. Referred to the committee on ELECTION LAWS
06/10/87	H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 921

ENERGY

H. 2155 Of Lawrence R. Alexander, other members of the General Court and another relative to reporting procedures under the "bottle bill", so called.

01/08/87	H. Referred to the committee on ENERGY
04/16/87	H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 375

H. 5044 Of Lawrence R. Alexander and other members of the General Court that gas and electric companies be authorized to

establish energy conservation programs.

01/12/87	H. Referred to the committee on ENERGY
07/23/87	S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1092
01/05/88	S. No report from committee

S. 335 Of William B. Golden and other members of the General Court for legislation to prohibit the operation of nuclear fueled thermal power plants until a repository for radioactive waste produced by said plant has been licensed and approved.

01/07/87	S. Referred to the committee on ENERGY
04/23/87	S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 292
01/05/88	S. No report from committee

H. 2154 Of Lawrence R1 Alexander, other members of the General Court and another relative to refundable crushed cans under the "bottle bill", so-called.

01/08/87	H. Referred to the committee on ENERGY
04/02/87	H. Accompanied a study order, see H5259

H. 5259 Order relative to authorizing the committee on Energy to make an investigation and study of a certain House document concerning refundable crushed cans under the "bottle bill", so-called.

04/02/87	H. Reported from the committee on ENERGY
04/02/87	H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 258
09/10/87	H. Committee recommended ought to be adpted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1271

H. 2156 Of Lawrence R. Alexander, other members of the General Court and others that wine coolers and other carbonated alcoholic beverages be made subject to the provisions of the "bottle bill", so-called.

01/08/87	H. Referred to the committee on ENERGY
03/30/87	H. Accompanied a new draft, see H5222

H. 5222 Bill making wine coolers and other carbonated alcoholic beverages subject to the provisions of the bottle law.

03/30/87	H.	Reported from the committee on ENERGY
05/13/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 501
12/29/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 1781
01/05/88	S.	No further action taken

H. 5045 Of Lawrence R. Alexander and other members of the General Court that provision be made for a study of the potential for conservation and the development of renewable energy sources by the Massachusetts Municipal Wholesale Electric Company.

01/12/87	H.	Referred to the committee on ENERGY
05/28/87	S.	Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 605
07/13/87	S.	Recommitted to the committee on SENATE STEERING AND POLICY -SJ 997
11/02/87	S.	Recommitted to the committee on ENERGY -SJ 1381
11/30/87	S.	Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY -SJ 1531
12/07/87	S.	Recommitted to the committee on ENERGY -SJ 1572
01/04/88	S.	Ought NOT to pass (under Joint Rule 10) and referred to the committee on SENATE STEERING AND POLICY
01/05/88	S.	No further action taken

S. 333 Of William B. Golden and other members of the General Court for legislation to require local approval of radiological emergency response plans.

01/07/87	S.	Referred to the committee on ENERGY
04/29/87	H.	Accompanied a new draft, see H5383

H. 5383 Bill clarifying and improving radiological emergency reponse planning and monitoring for licensed and operating nuclear power plants.

04/29/87	H.	Reported from the committee on ENERGY
04/29/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 457
12/09/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1587
12/28/87	S.	Committee recommended ought to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 1756
01/05/88	S.	No further action taken

FEDERAL FINANCIAL ASSISTANCE

H. 3862 PETITION

Of Barbara Hildt and other members of the General Court for adoption of resolutions by the General Court memorializing the Congress of the United States to enact a national security budget.

01/12/87	H.	Referred to the committee on FEDERAL FINANCIAL ASSISTANCE
06/15/87	H.	Referred to the committee on HOUSE WAYS AND MEANS -HJ 957
06/16/87	H.	Recommitted to the committee on FEDERAL FINANCIAL ASSISTANCE -HJ 969
10/01/87	H.	Ought NOT be adopted (under Joint Rule 10) and placed in the Orders of the Day for the next session -HJ 1379
10/05/87	H.	Resolutions rejected -HJ 1398

H. 2158 Of Lawrence R. Alexander and other members of the General Court for adoption of resolutions memorializing the Congress and the President of the United States to enact the National Appliance Efficiency Conservation Act.

01/08/87	H.	Referred to the committee on FEDERAL FINANCIAL ASSISTANCE
04/28/87	S.	Referred to the committee on SENATE STEERING AND POLICY -SJ 323
05/18/87	S.	Adopted -SJ 541

GOVERNMENT REGULATIONS

S. 374 PETITION

Of William B. Golden and other members of the General Court for legislation relative to the rates allowed to be charged by electric utilities.

01/07/87	S.	Referred to the committee on GOVERNMENT REGULATIONS
06/15/87	H.	Accompanied a study order, see H5718

H. 5718 Order relative to authorizing the committee on Government Regulations to make an investigation and study of certain Senate and House documents concerning the rates and charges by public utility companies and other related matters.

06/15/87	H.	Reported from the committee on GOVERNMENT REGULATIONS
06/15/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 949
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1278.

GOVERNMENT REGULATIONS
(CONTINUE PAGE TWO)

H. 2159 Of Lawrence R. Alexander and other members of the General Court that gas and electric companies be required to educate consumers about their prior energy usage.

01/08/87 H. Referred to the committee on GOVERNMENT REGULATIONS
11/05/87 S. Senate concurred -SJ 1394

H. 2160 Of Lawrence R. Alexander and other members of the General Court for legislation to require gas and electric companies to file a long-range forecast of the availability of energy resources.

01/08/87 H. Referred to the committee on GOVERNMENT REGULATIONS
11/05/87 S. Senate concurred -SJ 1393

HEALTH CARE

H. 4542 PETITION

Of Patricia G. Fiero, other members of the House and another hat provision be made for counseling services for certain pregnant teenagers by the Department of Public Health.

01/12/87 H. Referred to the committee on HEALTH CARE
06/02/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 859

H. 4541 Of Patricia G. Fiero, other members of the House and others for legislation to establish a coordinating council to study and develop model programs for adolescent needs and health care, and coordinate resources and services for adolescents.

01/12/87 H. Referred to the committee on HEALTH CARE
05/20/87 H. Report accepted -HJ 756

H. 1990 Of Patricia G. Fiero, other members of the General Court and another that the Department of Public Health be directed to establish a program of medical care and assistance for women and minors.

01/08/87 H. Referred to the committee on HEALTH CARE
03/16/87 H. Accompanied H2948

H. 2948 Of Richard A. Voke relative to providing healthy starts for pregnant women and minors.

01/08/87 H. Referred to the committee on HEALTH CARE
03/16/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 145
03/24/87 H. Substituted by H5202 -HJ 191

H. 5202 Bill relative to providing healthy starts for pregnant women and minors.

03/23/87 H. Reported from the committee on HOUSE WAYS AND MEANS
04/08/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJs 203-204
01/05/88 S. No report from committee

H. 2520 Of David B. Cohen and other members of the House that provision be made for medical care for persons in mental health facilities.

01/08/87 H. Referred to the committee on HEALTH CARE
03/16/87 H. Discharged to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS -HJ 144
05/13/87 S. Accompanied a new draft, see S1848 -SJ 496

S. 1848 Bill for the provision of medical care for persons in mental health facilities.

05/13/87 S. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/13/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 496
01/05/88 S. No report from committee

S. 482 Of Richard A. Kraus and John W. Olver for legislation to insure fair and consistent regulations for all consumer services reimbursed by medicaid.

01/07/87 S. Referred to the committee on HEALTH CARE
04/06/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AMD MEANS -SJ 171
01/05/88 S. No report from committee

S. 456 Of Edward L. Burke, Salvatore R. Albano, Martin T. Reilly, Argeo Paul Cellucci, Frederick E. Berry and John Patrick Houston for legislation relative to physician assistants

S. 456 and nurses practicing in the expanded role.

01/07/87 S. Referred to the committee on HEALTH CARE
03/02/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 62
05/13/87 S. Discharged to the committee on SENATE STEERING AND POLICY -SJ 499
01/05/88 S. No further action taken

S. 429 Of Michael J. Barrett, Christopher J. Hodgkins, John E. McDonough, Barbara Hildt, Joseph K. Mackey and other members of the House of Representatives for legislation to provide for an investigation of the impact of medicare hospital reimbursement on home health agencies.

01/07/87 S. Referred to the committee on HEALTH CARE
04/06/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 171
01/05/88 S. No report from committee

H. 3158 Of Mary Jane Gibson and other members of the General Court relative to toxic art or craft materials.

01/08/87 H. Referred to the committee on HEALTH CARE
03/05/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 100
05/20/87 H. Recommitted to the committee on HOUSE BILLS IN THE THIRD READING -HJ 761
06/10/87 H. New draft substituted, see H5687 -HJ 926

H. 5687 Bill relative to toxic art or craft materials.

06/10/87 H. New draft
06/10/87 H. Substituted (on motion of Ms. Gibson) for H3158
06/11/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 708
01/05/88 S. No report from committee

H. 1992 Of Patricia G. Fiero and other members of the House for legislation to provide medicare financial assistance for annual screening by low-dose mammograph for the presence of breast cancer.

01/08/87 H. Referred to the committee on HEALTH CARE
03/23/87 H. Report accepted -HJ 175

H. 3288	Of the Group Against Smoking Pollution (GASP) of Massachusetts, Lawrence R. Alexander and other members of the General Court for legislation to prohibit smoking in certain public areas.
01/08/87	H. Referred to the committee on HEALTH CARE
04/06/87	S. Accompanied H3697 -SJ 171
H. 3697	Of Lucile P. Hicks and other members of the General Court for legislation to further regulate smoking in certain public and private buildings.
01/08/87	H. Referred to the committee on HEALTH CARE
04/06/87	S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 171
10/01/87	S. Referred to the committee on SENATE STEERING AND POLICY -SJ 1207
01/05/88	S. Laid before the Governor -SJs 1832-1833

HOUSING AND URBAN DEVELOPMENT

H. 3872	PETITION
	Of Salvatore R. Albano and other members of the General Court for a legislative amendment to the Constitution to include the right to housing.
01/12/87	H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
04/30/87	H. Proposal reported favorably by committee and placed on file -HJ 483

H. 5886	Of Charles F. Flaherty and other members of the General Court for legislation to preserve the affordability of certain multifamily rental housing projects constructed or substantially rehabilitated with federal mortgage insurance and preventing the displacement of low and moderate income tenants therefrom.
07/07/87	H. Referred to the committee on JOINT RULES, reported, rules suspended and referred to the committee on HOUSING AND URBAN DEVELOPMENT -HJ 1112
11/09/87	H. Accompanied a new draft, see H6201
H. 6201	Bill to preserve the affordability of certain multifamily rental housing projects constructed or substantially rehabilitated with federal mortagage insurance and preventing the displacement of low and moderate income tenants therefrom.

11/09/87	H.	Reported from the committee on HOUSING AND URBAN DEVELOPMENT
11/09/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1547
12/21/87	H.	Bills in the Third Reading discharged
12/21/87	H.	New draft substituted, see H6379 -HJ 1827

H. 6379 Bill relative to certain subsidized multi-family rental housing projects.

12/21/87	H.	New draft
12/22/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1719
01/05/88	S.	No report from committee

H. 2756 Of Kevin W. Fitzgerald and other members of General Court for legislation to provide for the removal of asbestos from public housing developments in the Commonwealth.

01/08/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
06/22/87	H.	Accompanied H2764

H. 2764 Of Kevin W. Fitzgerald and other members of the General Court for legislation to provide for the removal of asbestos for public housing developments.

01/08/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
06/22/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 987

H. 2758 Of Kevin W. Fitzgerald and other members of the General Court for legislation to provide for periodic rental reviews of subsidy housing programs.

01/08/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 166

H. 2760 Of Kevin W. Fitzgerald and other members of the General court for legislation to provide the the appointment of special security policie officers for housing authorites.

01/08/87	H.	Referred to the committee on HOUSING AND URBAN DEVELOP-MENT

03/09/87 H. Accompanied a new draft, see H5121

H. 5121 Bill providing adequate security for senior citizens and handicapped people in public housing.

03/09/87 H. Reported from the committee on HOUSING AND URBAN DEVELOPMENT
03/09/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 112

H. 2761 Of Kevin W. Fitzgerald and other members of the General Court for legislation to provide supportive services to youthful residents in certain public housing developments.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AMD MEANS -HJ 166

H. 2763 Of Kevin W. Fitzgerald and other members of the General Court for legislation to provide for two dog officers in certain housing authorities in the Commonwealth.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/09/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 112

H. 2765 Of Kevin W. Fitzgerald and other members of the General Court that provision be made for administrative fees in the rental assistance program.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 166

H. 2762 Of Kevin W. Fitzgerald and other members of the General Court that housing authorities be authorized to provide certain services for tenants of public housing.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
03/23/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 166

H. 2952 Of Kevin W. Fitzgerald and David P. Magnani relative to the duty of landlords to provide certain notices to tenants.

01/08/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
10/15/87 S. Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 1276
11/09/87 S. Read second and ordered to a third reading -SJ 1407
01/05/88 S. No further action taken

H. 4035 Of Susan D. Schur and other members of the House relative to governing real estate time-sharing.

01/12/87 H. Referred to the committee on HOUSING AND URBAN DEVELOPMENT
05/28/87 S. Read; and referred to the committee on SENATE STEERING AND POLICY -SJ 604
01/05/88 S. Enacted and laid before the Governor -SJ 1837

HUMAN SERVICES AND ELDERLY AFFAIRS

H. 3879 PETITION

Of Barbara Hildt and other members of the General Court for legislation to prohibit placement of children on adult wards of mental institutions.

01/12/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/06/87 H. Accompanied a new draft, see H5463

H. 5463 Bill to assure appropriate mental health and mental retardation services for children.

05/06/87 H. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/06/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 559

S. 635 Of Lois G. Pines, John A. Businger, Frances F. Alexander, Barbara E. Gray, Marjorie A. Clapprood and other members of the House of Representatives that provision be made for an investigation and study by a special commission (including members of the General Court) relative to providing universally accessible and affordable early childhood programs.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
02/23/87	S.	Discharged to the committee on EDUCATION -SJ 50
03/19/87	S.	Resolve reported favorably by committee and referred to the committee on JOINT RULES -SJ 113
04/21/87	S.	Discharged to the committee on SENATE RULES -SJ 278
04/21/87	S.	Committee recommended ought to pass and referred to the committee on SENATE WAYS AND MEANS -SJ 278
07/14/87	S.	Referred to the committee on SENATE STEERING AND POLICY
09/22/87	H.	Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1304

H. 4952 Of Mary Jane Gibson, other members of the General Court and another relative to the establishment of an initiative to prevent unintended pregnancies.

01/12/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/05/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 524

H. 2769 Of Kevin W. Fitzgerald, other members of the General Court and another for legislation to establish a pharmaceutical benefit program for elders and disabled persons.

01/08/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
06/30/87	H.	Accompanied a study order, see H5839

H. 5839 Order relative to authorizing the committee on Human Services and Elderly Affairs to make an investigation and study of certain Senate and House documents concerning the establishment of a pharmaceutical benefit program for elderly and disabled persons.

06/30/87	H.	Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
06/30/87	H.	Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 1050
09/10/87	H.	Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1280

H. 1827 Of Paul Kollios and other members of the House, for an investigation and study by a non-legislative commission of the availability of workers in long term care services for the elderly.

01/07/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/08/87	H.	Resolve reported favorably by committee as changed and referred to the committee on HOUSE WAYS AND MEANS -HJ 304

S. 430 Of Michael J. Barrett, Christopher J. Hodgkins, John E. McDonough, Barbara Hildt, Joseph K. Mackey and other members of the House of Representatives for legislation to extend the rights of elderly recipients to nursing home services.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/06/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 171
01/05/88	S.	No report from committee

H. 3880 Of Barbara Hildt and other members of the General Court relative to increasing the annual clothing allowance for children in family foster care.

01/12/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/06/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 275

S. 619 Of Michael LoPresti, Jr., Charles F. Flaherty, Barbara E. Gray, Sherwood Guernsey, David P. Magnani, Paul Kollios and other members of the General Court for legislation to extend the rights of elderly and disabled recipients to enroll in health maintenance organizations.

01/07/87	S.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
06/03/87	H.	Accompanied H2196

H. 2196 Of John E. McDonough, Patricia G. Fiero, Barbara Hildt and Joseph K. Mackey for legislation to provide assistance to the working, disabled and elderly poor.

01/08/87	H.	Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
06/03/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 873

H. 2346 Of Lawrence R. Alexander and other members of the House for legislation to promote programs for foster care for elders in the Department of Elder Affairs.

01/08/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/23/87 H. Accompanied a new draft, see H5331

H. 1546 Of Carmen D. Buell and other members of the General Court relative to mandating preservice and inservice training plans for mental health and social service workers.

01/07/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
03/16/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 146

H. 1827 Of Paul Kollios and other members of the House, for an investigation and study by a non-legislative commission of the availability of workers in long term care services for the elderly.

01/07/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/08/87 H. Resolve reported favorably by committee as changed and referred to the committee on HOUSE WAYS AND MEANS -HJ 304

H. 3883 Of Barbara Hildt, other members of the General Court and another for legislation to allow certain individuals to provide homemaker services to a family member.

01/12/87 H. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/23/87 H. Accompanied a new draft, see H5333

H. 5333 Bill directing the Executive Office of Elder Affairs to develop and implement a pilot demonstration project allowing certain individuals to provide homemaker services to a family member.

04/23/87 H. Reported from the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
04/23/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 385

HUMAN SERVICES AND ELDERLY AFFAIRS
(CONTINUE PAGE FIVE)

S. 604 Of Richard A. Kraus, Paul Kollios, Mary L. Padula, Anita Pyatt and other members of the General Court for legislation to require that mental health facilities comply with the minimum standards of the Joint Commission on Accreditation of Hospitals.

01/07/87 S. Referred to the committee on HUMAN SERVICES AND ELDERLY AFFAIRS
05/14/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 521
11/12/87 S. Referred to the committee on SENATE STEERING AND POLICY
11/16/87 S. New draft substituted, see S2092 -SJ 1453

S. 2092 Bill to achieve compliance by certain mental health facilities with standards of the Joint Commission on the Accreditation of Health Care Organizations.

11/12/87 S. Reported from the committee on SENATE WAYS AND MEANS
11/12/87 S. Referred to the committee on SENATE STEERING AND POLICY
11/17/87 H. Read; and referred to the committee on HOUSE WAYS AND MEANS -HJ 1590

INSURANCE

H. 3172 PETITION

Of Mary Jane Gibson, other members of the General Court and others for legislation to prohibit discrimination relative to insurance contracts.

01/08/87 H. Referred to the committee on INSURANCE
05/18/87 H. Accompanied a new draft, see H5531

H. 5531 Bill prohibiting discrimination with respect to newly issued insurance contracts.

05/18/87 H. Reported from the committee on INSURANCE
05/18/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 732

S. 1564 Of the Group Against Smoking Pollution of Massachusetts, by Edward L. Sweda, Jr., Joseph K. Mackey and other members of the General court for legislation to reduce insurance rates for nonsmokers.

01/20/87 S. Referred to the committee on INSURANCE -SJ 8

04/23/87	S.	Committee recommended ought NOT to pass and referred to the committee on SENATE STEERING AND POLICY -SJ 295
05/11/87	S.	Report accepted -SJ 481

H. 3172 Of Mary Jane Gibson, other members of the General Court and others for legislation to prohibit discrimination relative to insurance contracts.

01/08/87	H.	Referred to the committee on INSURANCE
05/18/87	H.	Accompanied a new draft, see H5531

H. 5531 Bill prohibiting discrimination with respect to newly issued insurance contracts.

05/18/87	H.	Reported from the committee on INSURANCE
05/18/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 732

JOINT RULES

H. 5188 PETITION

Of Lawrence R. Alexander and other members of the General Court that the Commissioner of the Department of Environmental Quality Engineering be authorized to establish maximum permissible levels of radioactive airborne emissions from nuclear power plants.

03/09/87	H.	Referred to the committee on JOINT RULES -HJ 108
03/16/87	H.	Reported, rules suspended and referred to the committee on ENERGY -HJ 143
07/02/87	H.	New draft amended and substituted, see H5862, printed as amended -HJ 1084

H. 5862 Bill relative to nuclear power plants [printed as amended by the House on July 2].

07/02/87	H.	New draft
07/07/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 954
12/23/87	S.	Referred to the committee on SENATE STEERING AND POLICY
12/28/87	S.	Recommitted to the committee on SENATE STEERING AND POLICY -SJ 1728

H. 5583 Of Paul E. Caron, other members of the General Court and

H. 5583 other relative to regulating takeover bids in the acquisition of corporations.

05/21/87 H. Referred to the committee on JOINT RULES -HJ 00
05/27/87 H. Reported, rules suspended and referred to the committee on COMMERCE AND LABOR -HJ 811
06/11/87 H. Accompanied a study order, see H5699

H. 5699 Order relative to authorizing the committee on Commerce and Labor to make an investigation and study of a certain House document concerning regulating takeover bids in the acquisition of corporations.

06/11/87 H. Reported from the committee on COMMERCE AND LABOR
06/11/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 941
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1278

H. 5310 Of Chester A. Suhoski and other members of the House relative to exempting certain incomes from the provisions of the medical assistance law.

04/09/87 H. Referred to the committee on JOINT RULES -HJ 315
04/15/87 H. Reported, rules suspended and referred to the committee on HEALTH CARE -HJ 357
06/02/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 858
12/08/87 H. Substituted by H6309 -HJ 1708

H. 6309 Bill exempting certain incomes from the provisions of the medical assistance law.

12/07/87 H. Reported from the committee on HOUSE WAYS AND MEANS
12/15/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1630
01/05/88 S. No report from committee

H. 5886 Of Charles F. Flaherty and other members of the General Court for legislation to preserve the affordability of certain multifamily rental housing projects constructed or substatially rehabilitated with federal mortagage insurance and preventing the displacement of low and moderate income tenants therefrom.

07/07/87 H. Referred to the committee on JOINT RULES, reported, rules suspended and referred to the committee on HOUSING AND URBAN DEVELOPMENT -HJ 1112

JOINT RULES
(CONTINUE PAGE THREE)

11/09/87	H.	Accompanied a new draft, see H6201
H. 6201		Bill to preserve the affordability of certain multifamily rental housing projects constructed or substantially rehabilitated with federal mortgage insurance and preventing the displacement of low and moderate income tenants therefrom.
11/09/87	H.	Reported from the committee on HOUSING AND URBAN DEVELOPMENT
11/09/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1547
12/21/87	H.	New draft substituted, see H6379 -HJ 1827
H. 6379		Bill relative to certain subsidized multi-family rental housing projects.
12/21/87	H.	New draft
12/22/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1719

THE JUDICIARY

H. 2790		PETITION
		Of Kevin W. Fitzgerald and other members of the General Court relative to the liability of housing authorities.
01/08/87	H.	Referred to the committee on THE JUDICIARY
04/29/87	H.	Report accepted -HJ 462

H. 4433		Filed at the request of James P. Coughlin relative to establishing Inauguration Day of the President and Vice President as a legal holiday in honor of John F. Kennedy.
01/12/87	H.	Referred to the committee on THE JUDICIARY
05/26/87	S.	Accompanied a study resolve, see S1887 -SJ 582
S. 1887		Resolve increasing the scope of the special commission established to make an investigation and study relative to a suitable memorial to President John F. Kennedy.
05/26/87	S.	Reported from the committee on THE JUDICIARY
05/26/87	S.	Resolve reported favorably by committee and referred to the committee on JOINT RULES -SJ 582
06/04/87	S.	Discharged to the committee on SENATE RULES -SJ 657

01/05/88 S. No report from committee

NATURAL RESOURCES AND AGRICULTURE

H. 4751 PETITION

Filed at the request of Lisa Tsarelka that persons and facilities rendering services to animals be licensed by the Board of Registration in Veterinary Medicine.

01/12/87 H. Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
06/18/87 H. Accompanied a study order, see H5751

H. 5751 Order relative to authorizing the committee on Natural Resources and Agriculture to make an investigation and study of certain Senate and House documents concerning the regulation of animals and other relative matters.

06/18/87 H. Reported from the committee on NATURAL RESOURCES AND AGRICULTURE
06/18/87 H. Order reported favorably by committee and referred to the committee on JOINT RULES -HJ 980
09/10/87 H. Committee recommended ought to be adopted and referred to the committee on HOUSE WAYS AND MEANS -HJ 1280

H. 2216 Of Salvatore F. DiMasi and other members of the General Court that the Department of Enviromental Management be directed to expend a certain sum of money for the rehabilitation and restoration of Orchard Park in the city of Boston.

01/08/87 H. Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
05/14/87 S. Accompanied a new draft, see S1860 -SJ 522

S. 1860 Bill providing for a capital outlay program.

05/14/87 S. Reported from the committee on NATURAL RESOURCES AND AGRICULTURE
05/14/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 522
01/05/88 S. No report from committee

S. 976	Of Carol C. Amick, Steven Angelo, Augusto F. Grace and Robert A. Durand for legislation to further protect public health, safety, welfare, and the environment at sites where oil and hazardous materials have been released.	
01/07/87	S.	Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
06/29/87	S.	Bill reported favorably by committee as changed and referred to the committee on SENATE WAYS AND MEANS -SJ 886
01/05/88	S.	No report from committee

S. 979	Of Carol C. Amick, Steven Angelo, John W. Olver, Mary Jane Gibson, William B. Golden, Jonathan L. Healy and other members of the General Court for legislation relative to the protection of the enviromnent through the regulation of storage of oil and hazardous materials in underground storage tanks.	
01/07/87	S.	Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
04/27/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 306
01/05/88	S.	No report from committee

S. 980	Of Carol C. Amick, Steven Angelo, Barbara Hildt, Carmen D. Buell, Barbara Gardner, Lois G. Pines, David P. Magnani and other members of the General Court for legislation to authorize the Department of Environmental Management to establish a grants program for the safe disposal of household hazardous waste.	
01/07/87	S.	Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
05/14/87	S.	Accompanied a new dreaft, see S1858 -SJ 521
S. 1858	Bill authorizing the Department of Environmental Management to establish a grants program for the safe disposal of household hazardous waste.	
05/14/87	S.	Reported from the committee on NATURAL RESOURCES AND AGRICULTURE
05/14/87	S.	Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 521
01/05/88	S.	No report from committee

S. 974 Of Carol C. Amick, Jonathan L. Healy, Steven Angelo, other members of the General Court and others for legislation to prohibit the sale of septic tank cleaners containing certain chemicals.

01/07/87 S. Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
05/14/87 S. Accompanied a new draft, see S1857 -SJ 521

S. 1857 Bill regulating sewerage system cleaners and additives.

05/14/87 S. Reported from the committee on NATURAL RESOURCES AND AGRICULTURE
05/14/87 S. Bill reported favorably by committee and referred to the committee on SENATE WAYS AND MEANS -SJ 521
01/05/88 S. No report from committee

H. 3190 Of Charles F. Flaherty and other members of the General Court for legislation to prevent interbasin transfers of water and to improve the drinking water supply of the city of Cambridge.

01/08/87 H. Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
04/28/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 432
07/14/87 S. Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 1005
01/05/88 S. No report from committee

H. 4277 Of Charles F. Flaherty and other members of the General Court for legislation to promote reduced use of toxic and hazardous substances in the Commonwealth.

01/12/87 H. Referred to the committee on NATURAL RESOURCES AND AGRICULTURE
10/19/87 H. Accompanied a new draft, see H6118

H. 6118 Bill to promote reduced use of toxic and hazardous substances in the Commonwealth.

10/19/87 H. Reported from the committee on NATURAL RESOURCES AND AGRICULTURE
10/19/87 H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 1456
12/21/87 H. Read second and ordered to a third reading -HJ 1825

PUBLIC SERVICE

H. 4631 PETITION

Filed at the request of James P. Coughlin relative to the salary of nursing assistants, aids and orderlies employed in state owned nursing homes and hospitals.

01/12/87	H.	Referred to the committee on PUBLIC SERVICE
04/09/87	H.	Discharged to the committee on HOUSE WAYS AND MEANS -HJ 319
04/13/87	S.	Senate concurred -SJ 232

H. 1231 Of the Commission on Judicial Conduct, Eleanor Myerson and other members of the General Court relative to the annual salary of the Executive Secretary to the Commission on Judicial Conduct.

01/07/87	H.	Referred to the committee on PUBLIC SERVICE
04/08/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 305
07/07/87	S.	Read; and referred to the committee on SENATE WAYS AND MEANS -SJ 954
01/05/88	S.	No report from committee

STATE ADMINISTRATION

H. 2839 PETITION

Of Kevin W. Fitzgerald and other members of the General Court for legislation to increase the threshold requiring bids for public contracts.

01/08/87	H.	Referred to the committee on STATE ADMINISTRATION
06/16/87	H.	Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 968

TAXATION

H. 2239 PETITION

Of Lawrence R. Alexander and other members of the General Court for legislation to reestablish certain residential tax credits for renewable energy systems.

01/08/87	H.	Referred to the committee on TAXATION
05/12/87	H.	Accompanied a study resolve, see H5494

TAXATION
(CONTINUE PAGE TWO)

H. 5494 Resolve increasing the scope of the special commission established to make an investigation and study relative to all state, local, special district and county taxation in order to develop a tax reform program in the Commonwealth.

05/12/87	H. Reported from the committee on TAXATION
05/12/87	H. Resolve reported favorably by committee and referred to the committee on JOINT RULES -HJ 607
10/13/87	H. Discharged to the committee on HOUSE RULES -HJ 1427

TRANSPORTATION

H. 3238 PETITION

Of Mary Jane Gibson, other members of the General Court and others relative to the establishment of a traffic management assistance program by the Department of Public Works.

01/08/87	H. Referred to the committee on TRANSPORTATION
03/26/87	H. Bill reported favorably by committee and referred to the committee on HOUSE WAYS AND MEANS -HJ 200

THE 1988 PRIORITY LEGISLATION
OF THE
MASSACHUSETTS BLACK LEGISLATIVE CAUCUS

THE MASSACHUSETTS BLACK LEGISLATIVE CAUCUS 1988 PRIORITY LEGISLATION

SPONSOR	BILL NO.	TITLE	DESCRIPTION
SENATOR ROYAL BOLLING, SR.	S. 1246	AN ACT TO ESTABLISH THE BLUE HILL REGIONAL DEVELOPMENT CORPORATION. (BHRDC)	The BHRDC will be a state agency dedicated to the economic revitalization of the Commonwealth's single most needy area, the "Blue Hill Region" from Lower Roxbury to Upper Milton.
SENATOR ROYAL BOLLING, SR.	S. 1977	AN ACT RELATIVE TO THE DISPOSITION OF CERTAIN STATE-OWNED PROPERTY.	The legislation proposes a detailed process for the adoption of a master plan, for community and public participation in the development process. The bill will create in the community affordable housing and much needed space for light industry. Agreements in the bill also includes appropriate affirmative action employment goals to be achieved by the developer for minorities and women.
REP. BYRON RUSHING	H. 919	AN ACT FOR VOTER REGISTRATION IN THE COURSE OF THE ANNUAL LISTING OF RESIDENTS.	As an alternative to registering in person at a registration session. The bill allows eligible residents to register by signing the annual local census (or street listing) mailed to (or left at) their homes by local election officials.
REP. BYRON RUSHING	H. 5303	AN ACT REQUIRING A NONBINDING QUESTION ON THE BALLOT REGARDING INCORPORATION OF A NEW CITY.	This legislation would place on the 1988 ballot in certain precincts in Boston's communities of color the question of municipal incorporation. "Shall these wards and precincts be incorporated as a city within the Commonwealth."
REP. GLORIA FOX	H. 1710	AN ACT ESTABLISHING UNIVERSAL MATERNITY CARE.	To establish a state funded medical assistance program for pregnant women who are ineligible for medicaid and lack private health insurance.

SPONSOR	BILL NO.	TITLE	DESCRIPTION
REP. GLORIA FOX	H. 1649	AN ACT TO ESTABLISH A MINORITY BUSINESS DEVELOPMENT FUND.	This bill would amend the definitions to include a minority business development fund. Purpose is to promote minority businesses in Massachusetts by using one percent of the pension reserve investment trust.
REP. GLORIA FOX	H. 1727	AN ACT AUTHORIZING QUALIFIED INDEPENDENT CLINICAL SOCIAL WORKERS TO PERFORM CERTAIN COMPETENCY EVALUATIONS.	The clinical social workers would be allowed to conduct certain observations and examinations and submit reports to trial courts concerning the competence of individuals to stand trial.
REP. SHIRLEY OWENS-HICKS	H. 2727	AN ACT RELATIVE TO MONIES OR OTHER PROPERTY CONFISCATED DURING A "DRUG BUST".	This bill would mandate that the money be used to continue fighting the war on drugs by grants to antidrug or drug rehabilitation agencies within the community where the arrest or confiscation has taken place.
REP. SHIRLEY OWENS-HICKS	H. 2698	AN ACT TO ASSIST CERTAIN ELDERLY PERSONS AND TENANTS TO MEET RENT PAYMENTS AND ESTABLISHING REQUIREMENTS THEREFOR.	This bill will enable certain low-income, some moderate-income residents who are elderly or may be employed and receive no subsidy, an opportunity to obtain or remain in decent housing.
REP. SAUNDRA GRAHAM	H. 3403	AN ACT TO IMPROVE THE QUALITY OF VOCATIONAL EDUCATION.	This bill will establish a separate account to supplement the state's vocational education system. The goal of the funds is to expand vocational education opportunities, improve the capacity of our schools to deliver this training and to reduce program disparity.

SPONSOR	BILL NO.	TITLE	DESCRIPTION
REP. SAUNDRA GRAHAM	H. 3521	LEGISLATION TO REGULATE STATE CONRACTS WITH COMPANIES DOING BUSINESS WITH OR IN THE REPUBLIC OF SOUTH AFRICA OR NAMIBIA.	This bill would require the Commonwealth to maintain an "apartheid list" of companies which have not completely withdrawn from South Africa. Bids from state agencies would be accepted from companies on that list only if the agency demonstrate purchase is essential, if listed bidder is the only bidder, and if bid is necessary to ensure a competive bidding process.

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